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House of Representatives

CONFERENCE REPORT ON H.J. RES. 2, CONSOLIDATED APPROPRIATIONS RESOLUTION, 2003

Mr. YOUNG of Florida submitted the following conference report and statement on the joint resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year 2003, and for other purposes:

CONFERENCE REPORT (H. REPT. 108–10)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 2), ''making further continuing appropriations for the fiscal year 2003, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the ''Consolidated Appropriations Resolution, 2003''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this joint resolution is as follows:

Sec. 1. Short title.
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DIVISION L—HOMELAND SECURITY ACT OF 2002 AMENDMENTS

DIVISION M—DEFENSE MATTERS

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Title I—Election Reform
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DIVISION P—UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this joint resolution shall be treated as referring only to the provisions of that division.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROGRAMS APPROPRIATIONS, 2003

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs 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 Agriculture, Rural Development,

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Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

For necessary expenses of the Office of the Secretary of Agriculture, $3,412,000: Provided, That not to exceed $11,000 of this amount shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost-benefit analysis, energy and new uses, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), $8,566,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, $13,759,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, $7,358,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, $15,251,000.

COMMON COMPUTING ENVIRONMENT

For necessary expenses to acquire a Common Computing Environment for the Natural Resources Conservation Service, the Farm and Foreign Agricultural Service and Rural Development mission areas for information technology, systems, and services, $133,155,000, to remain available until expended, for the capital asset acquisition of shared information technology systems, including services as authorized by 7 U.S.C. 6915–16 and 40 U.S.C. 1421–28: Provided, That obligation of these funds shall be consistent with the Department of Agriculture Service Center Modernization Plan of the county-based agencies, and shall be with the concurrence of the Department's Chief Information Officer.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, $5,572,000: Provided, That the Chief Financial Officer shall actively market and expand cross-servicing activities of the National Finance Center.

WORKING CAPITAL FUND

For the acquisition of remote mirroring backup technology of the National Finance Center's data, $12,000,000, to remain available until expended: Provided, That none of these funds may be obligated until the House and Senate Committees on Appropriations have approved a feasibility study to be submitted by the Secretary of Agriculture: Provided further, That if the study is not approved within 30 days of its submission, the funds appropriated shall be available for the authorized uses of the Working Capital Fund.

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, $664,000.

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 alterations and other actions needed for the Department and its agencies to consolidate unneeded space into configurations suitable for release to the Administrator of General Services, and for the operation, maintenance, improvement, and repair of Agriculture buildings and facilities, and for related costs, $196,781,000, to remain available until expended: Provided, That the Secretary of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation to cover the costs of new or replacement space for such agency, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account.

HAZARDOUS MATERIALS 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.) and the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), $15,685,000, to remain available until expended: Provided, That appropriations and funds available herein to the Department for Hazardous Materials Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Departmental Administration, $38,095,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department: Provided, That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded by this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,821,000: Provided, That these funds may be transferred to agencies of the Department of Agriculture funded by this Act to maintain personnel at the agency level: Provided further, That no other funds appropriated to the Department by this Act shall be available to the Department for support of activities of congressional relations.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry out services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $9,140,000: Provided, That 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 Inspector General Act of 1978, $74,097,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, and including not to exceed $125,000 for certain confidential operational expenses, including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $35,017,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service, and the Cooperative State Research, Education, and Extension Service, $588,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $69,123,000.

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, marketing surveys, and the Census of Agriculture, as authorized by 7 U.S.C. 1621–1627 and 2204g, and other laws, $139,354,000, of which up to $41,274,000 shall be available until expended for the Census of Agriculture.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, and for land exchanges where the lands exchanged shall be of equal value or shall be equalized by a payment of money to the grantor which shall not exceed 25 percent of the total value of the land or interests transferred out of Federal ownership, $1,052,770,000: Provided, That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: Provided further, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building shall not exceed $375,000, except for headhouses or greenhouses which shall each be limited to $1,200,000, and except for 10 buildings to be constructed or improved at a cost not to exceed $750,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or $375,000, whichever is greater: Provided further, That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: Provided further, That appropriations hereunder shall be available for granting easements at the Beltsville Agricultural Research Center: Provided further, That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): Provided further, That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law.

None of the funds appropriated under this heading shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

In fiscal year 2003 and thereafter, the agency is authorized to charge fees, commensurate with the fair market value, for any permit, easement, lease, or other special use authorization for the occupancy or use of land and facilities (including land and facilities at the Beltsville Agricultural Research Center) issued by the agency, as authorized by law, and such fees shall be credited to this account, and shall remain available until expended for authorized purposes.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $119,480,000, to remain available until expended: Provided, That, in fiscal year 2003 and thereafter, funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, $620,827,000, as follows: to carry out the provisions of the Hatch Act of 1887 (7 U.S.C. 361a–i), $180,148,000; for grants for cooperative forestry research (16 U.S.C. 582a through a–7), $21,884,000; for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222), $35,643,000, of which $1,507,496 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for special grants for agricultural research (7 U.S.C. 450i(c)), $112,264,000; for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)), $15,264,000; for competitive research grants (7 U.S.C. 450i(b)), $167,131,000; for the support of animal health and disease programs (7 U.S.C. 3195), $5,098,000; for supplemental and alternative crops and products (7 U.S.C. 3319d), $1,196,000; for grants for research pursuant to the Critical Agricultural Materials Act (7 U.S.C. 178 et seq.), $1,250,000, to remain available until expended; for research grants for 1994 institutions pursuant to section 536 of Public Law 103–382 (7 U.S.C. 301 note), $1,100,000, to remain available until expended; for higher education graduate fellowship grants (7 U.S.C. 3152(b)(6)), $3,243,000, to remain available until expended (7 U.S.C. 2209b); for higher education challenge grants (7 U.S.C. 3152(b)(1)), $4,920,000; for a higher education multicultural scholars program (7 U.S.C. 3152(b)(5)), $998,000, to remain available until expended (7 U.S.C. 2209b); for an education grants program for Hispanic-serving Institutions (7 U.S.C. 3241), $4,100,000; for noncompetitive grants for the purpose of carrying out all provisions of 7 U.S.C. 3242 (section 759 of Public Law 106–78) to individual eligible institutions or consortia of eligible institutions in Alaska and in Hawaii, with funds awarded equally to each of the States of Alaska and Hawaii, $3,500,000; for a secondary agriculture education program and 2-year post-secondary education (7 U.S.C. 3152(j)), $1,000,000; for aquaculture grants (7 U.S.C. 3322), $4,500,000; for sustainable agriculture research and education (7 U.S.C. 5811), $13,750,000; for a program of capacity building grants (7 U.S.C. 3152(b)(4)) to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, $11,479,000, to remain available until expended (7 U.S.C. 2209b); for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382, $1,700,000; and for necessary expenses of Research and Education Activities, $29,659,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products: Provided, That this paragraph shall not apply to research on the medical, biotechnological, food, and industrial uses of tobacco.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For the Native American Institutions Endowment Fund authorized by Public Law 103–382 (7 U.S.C. 301 note), $7,100,000.

EXTENSION ACTIVITIES

For payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa, $453,468,000, as follows: payments for cooperative extension work under the Smith-Lever Act, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for cooperative extension agents and State extension directors, $281,218,000; payments for extension work at the 1994 Institutions under the Smith-Lever Act (7 U.S.C. 343(b)(3)), $3,387,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $58,566,000; payments for the pest management program under section 3(d) of the Act, $10,759,000; payments for the farm safety program under section 3(d) of the Act, $5,525,000; 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. 3222b), $15,000,000, 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 certification extension grants, to be awarded competitively under section 3(d) of the Act, $499,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 et seq.), $4,546,000; payments for Indian reservation agents under section 3(d) of the Smith-Lever Act, $1,996,000; payments for sustainable agriculture programs under section 3(d) of the Act, $4,875,000; payments for rural health and safety education as authorized by section 502(i) of Public Law 92–419 (7 U.S.C. 2662(i)), $2,622,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326 and 328) and Tuskegee University, $32,117,000, of which $1,724,884 shall be made available only for the purpose of ensuring that each institution shall receive no less than $1,000,000; for grants to youth organizations pursuant to section 7630 of title 7, United States Code, $3,000,000; and for necessary expenses of extension activities, $20,877,000.

INTEGRATED ACTIVITIES

For the integrated research, education, and extension competitive grants programs, including necessary administrative expenses, as authorized under section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626), $46,743,000, as follows: payments for the water quality program, $12,971,000; payments for the food safety program, $14,967,000; payments for the regional pest management centers program, $4,531,000; payments for the Food Quality Protection Act risk mitigation program for major food crop systems, $4,889,000; payments for the crops affected by Food Quality Protection Act implementation, $1,497,000; payments for the methyl bromide transition program, $3,250,000; payments for the organic transition program, $2,125,000; payments for the international science and education grants program under 7 U.S.C. 3291, to remain available until expended, $500,000; payments for the critical issues program under 7 U.S.C. 450i(c): Provided, That of the funds made available under this heading, $500,000 shall be for payments for the critical issues program under 7 U.S.C. 450i(c) and $1,513,000 shall be for payments for the regional rural development centers program under 7 U.S.C. 450i(c).

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $3,493,000, to remain available until expended.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Under Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service; the Agricultural Marketing Service; and the Grain Inspection, Packers and Stockyards Administration; $730,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; and to protect the environment, as authorized by law, $725,502,000, of which $4,103,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions; of which $62,000,000 shall be used for the boll weevil eradication program for cost share purposes or for debt retirement for active eradication zones: Provided, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: Provided further, That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: Provided further, That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as may be deemed necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious disease or pests of animals, poultry, or plants, and for expenses in accordance with sections 10411 and 10417 of the Animal Health Protection Act (7 U.S.C. 8310 and 8316) and sections 431 and 442 of the Plant Protection Act (7 U.S.C. 7751 and 7772), and any unexpended balances of funds transferred for such emergency purposes in the preceding fiscal year shall be merged with such transferred amounts: Provided further, That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

In fiscal year 2003, the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $9,989,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry out services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States, $75,702,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

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

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $61,619,000 (from fees collected) shall be obligated during the current fiscal year 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 STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers 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 $14,910,000 for formulation and administration 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. 1623(b)), $1,347,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, $39,950,000, of which $4,500,000, to remain available until expended, shall be for a packer concentration study: Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

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

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $603,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry out services authorized by the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act, including not to exceed $50,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $759,759,000, of which no less than $649,082,000 shall be available for Federal food safety inspection; and of which $5,000,000 shall be for enhanced inspection activities, to remain available through September 30, 2004; and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1327 of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 138f): Provided, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Farm Service Agency, the Foreign Agricultural Service, the Risk Management Agency, and the Commodity Credit Corporation, $622,000.

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, $976,738,000: Provided, That the Secretary of Agriculture 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 other funds made available to the Agency for authorized activities may be advanced to and merged with this account.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987 (7 U.S.C. 5102(b)), $4,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers and manufacturers of dairy products under a 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 Public Law 106–387 (114 Stat. 1549A–12).

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, Indian tribe land acquisition loans (25 U.S.C. 488), and boll weevil loans (7 U.S.C. 1989), to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $1,130,000,000, of which $1,000,000,000 shall be for guaranteed loans and $130,000,000 shall be for direct loans; operating loans, $2,705,000,000, of which $1,700,000,000 shall be for unsubsidized guaranteed loans, $400,000,000 shall be for subsidized guaranteed loans and $605,000,000 shall be for direct loans; Indian tribe land acquisition loans, $2,000,000; and for boll weevil eradication program loans, $100,000,000.

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, as follows: farm ownership loans, $22,593,000, of which $7,500,000 shall be for guaranteed loans, and $15,093,000 shall be for direct loans; operating loans, $205,513,000, of which $53,890,000 shall be for unsubsidized guaranteed loans, $47,200,000 shall be for subsidized guaranteed loans, and $104,423,000 shall be for direct loans; and Indian tribe land acquisition loans, $179,000.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $287,176,000, of which $279,176,000 shall be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

Funds appropriated by this Act to the Agricultural Credit Insurance Program Account for farm ownership and operating direct loans and guaranteed loans may be transferred among these programs: Provided, That the Committees on Appropriations of both Houses of Congress are notified at least 15 days in advance of any transfer.

RISK MANAGEMENT AGENCY

For administrative and operating expenses, as authorized by section 226A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933), $70,708,000: Provided, That not to exceed $700 shall be available for official reception and representation expenses, as authorized by 7 U.S.C. 1506(i).

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make 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 programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act (7 U.S.C. 1516), such sums as may be necessary, to remain available until expended.

COMMODITY CREDIT 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

(LIMITATION ON EXPENSES)

For fiscal year 2003, the Commodity Credit Corporation shall not expend more than $5,000,000 for site investigation and cleanup expenses, and operations and maintenance expenses to comply with the 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, $750,000.

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–f), 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 interests therein for use in the plant 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. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $825,004,000, to remain available until expended, 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 plant materials centers, and of which not less than $23,500,000 shall be for the grazing lands conservation initiative: Provided, That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: Provided further, That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: Provided further, That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974 (43 U.S.C. 1592(c)): Provided further, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service: Provided further, That none of the funds made available under this paragraph by this or any other appropriations 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. 3841(a)).

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), $11,197,000.

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001–1005 and 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $110,000,000, to remain available until expended (of which up to $15,000,000 may be available for the watersheds authorized under the Flood Control Act (33 U.S.C. 701 and 16 U.S.C. 1006a)): Provided, That not to exceed $45,514,000 of this appropriation shall be available for technical assistance: Provided further, That not to exceed $1,000,000 of this appropriation is 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 or threatened species to other suitable 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 (16 U.S.C. 1012), and in accordance with the provisions of laws relating to the activities of the Department, $30,000,000, to remain available until expended.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of sections 31 and 32 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010–1011; 76 Stat. 607); the Act of April 27, 1935 (16 U.S.C. 590a–f); and subtitle H of title XV of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $51,000,000, to remain available until expended.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

For necessary salaries and expenses of the Office of the Under Secretary for Rural Development to administer programs under the laws enacted by the Congress for the Rural Housing Service, the Rural Business-Cooperative Service, and the Rural Utilities Service of the Department of Agriculture, $640,000.

RURAL COMMUNITY ADVANCEMENT PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1926a, 1926c, 1926d, and 1932, except for sections 381E–H and 381N of the Consolidated Farm and Rural Development Act, $907,737,000, to remain available until expended, of which $96,800,000 shall be for rural community programs described in section 381E(d)(1) of such Act; of which $723,217,000 shall be for the rural utilities programs described in sections 381E(d)(2), 306C(a)(2), and 306D of such Act; and of which $87,720,000 shall be for the rural business and cooperative development programs described in sections 381E(d)(3) and 310B(f) of such Act: Provided, That of the total 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 and waste disposal 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 306(a)(19) of the Consolidated Farm and Rural Development Act, and of which $250,000 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, $7,000,000 shall be available for a Rural Community Development Initiative: 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 rural communities, and Federally Recognized Native American Tribes to undertake projects to improve housing, community facilities, community and economic development projects in rural areas: Provided further, That of the amount appropriated for the Rural Community Development Initiative, not less than $1,000,000 shall be available until expended to carry out a demonstration program on Replicating and Creating Rural Cooperative Home Based Health Care: Provided further, That of the $1,000,000 made available, not less than $200,000 shall be in the form of predevelopment planning grants, not to exceed $50,000 each, with the balance for low-interest revolving loans to be used for capital and other related expenses, and made available to nonprofit based community development organizations: Provided further, That such organizations should demonstrate experience in the administration of revolving loan programs and providing technical assistance to cooperatives: Provided further, That such funds shall be made available to qualified private, nonprofit and public intermediary organizations proposing to carry out a program of financial and technical assistance: Provided further, That such intermediary organizations shall provide matching funds from other sources, including Federal funds for related 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 $2,000,000 shall be for grants to the Delta Regional Authority (7 U.S.C. 1921 et seq.): Provided further, That of the amount appropriated for rural utilities programs, not to exceed $25,000,000 shall be for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C of such Act; not to exceed $30,000,000 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 appropriation for ''Rural Development, Salaries and Expenses''; not to exceed $18,333,000 shall be for technical assistance grants for rural water and waste systems pursuant to section 306(a)(14) of such Act, of which $5,513,000 shall be for Rural Community Assistance Programs; not to exceed $1,000,000 shall be in the form of predevelopment planning grants, not to exceed $50,000 each; and not to exceed $12,100,000 shall be for contracting with qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: Provided further, That of the total amount appropriated, not to exceed $37,624,000 shall be available through June 30, 2003, for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones; 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 utilities programs described in section 381E(d)(2) of such Act, and of which $9,030,000 shall be for the rural business and cooperative development programs described in section 381E(d)(3) of such Act: Provided further, That of the amount appropriated for rural community programs, not to exceed $25,000,000 shall be to provide grants for facilities in rural communities with extreme unemployment and severe economic depression (Public Law 106–387), with 5 percent for administration and capacity building in the State rural development offices: Provided further, That of the amount appropriated, $30,000,000 shall be transferred to and merged with the ''Rural Utilities Service, High Energy Cost Grants Account'' to provide grants authorized under section 19 of the Rural Electrification Act of 1936 (7 U.S.C. 918a): Provided further, That any remaining funds specifically appropriated in fiscal year 2002 for rural communities with extremely high energy costs under the Rural Community Advancement Program shall be merged and transferred into the Account: Provided further, That any funds in the Account shall be used to provide grants authorized under section 19 of that Act.

RURAL DEVELOPMENT SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for carrying out the administration and implementation of programs

in the Rural Development mission area, including activities with institutions concerning the development and operation of agricultural cooperatives; and for cooperative agreements; $145,736,000: Provided, That not more than $10,000 may be expended to provide modest nonmonetary awards to non-USDA employees: Provided further, That any balances available from prior years for the Rural Utilities Service, Rural Housing Service, and the Rural Business-Cooperative Service salaries and expenses accounts shall be transferred to and merged with this appropriation.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, to be available from funds in the rural housing insurance fund, as follows: $5,572,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,044,000,000 shall be for direct loans, and of which $4,528,000,000 shall be for unsubsidized guaranteed loans; $35,000,000 for section 504 housing repair loans; $115,805,000 for section 515 rental housing; $100,000,000 for section 538 guaranteed multi-family housing loans; $5,046,000 for section 524 site loans; $12,000,000 for credit sales of acquired property, of which up to $2,000,000 may be for multi-family credit sales; and $5,011,000 for section 523 self-help housing land development 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, as follows: section 502 loans, $234,950,000, of which $202,350,000 shall be for direct loans, and of which $32,600,000, to remain available until expended, shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $10,857,000; section 515 rental housing, $54,000,000; section 538 multi-family housing guaranteed loans, $4,500,000; section 524 site loans, $55,000; multi-family credit sales of acquired property, $934,000; and section 523 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 communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $432,374,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, $726,000,000; and, in addition, such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: Provided, That of this amount, not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $20,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: Provided further, That agreements entered into or renewed during fiscal year 2003 shall be funded for a 5-year period, although the life of any such agreement may be extended to fully utilize amounts obligated.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $35,000,000, to remain available until expended: Provided, That of the total amount appropriated, $1,000,000 shall be available 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 ASSISTANCE GRANTS

For grants and contracts for very low-income housing repair, supervisory and technical assistance, compensation for construction defects, and rural housing preservation made by the Rural Housing Service, as authorized by 42 U.S.C. 1474, 1479(c), 1490e, and 1490m, $42,498,000, 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.

FARM LABOR PROGRAM ACCOUNT

For the cost of direct loans, grants, and contracts, as authorized by 42 U.S.C. 1484 and 1486, $36,307,000, to remain available until expended, for direct farm labor housing loans and domestic farm labor housing grants and contracts.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

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

For the cost of direct loans, $19,304,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)), of which $1,724,000 shall be available through June 30, 2003, for Federally Recognized Native American Tribes and of which $3,449,000 shall be available through June 30, 2003, for Mississippi Delta Region counties (as defined by Public Law 100–460): 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 cost of direct loans for authorized empowerment zones and enterprise communities and communities designated by the Secretary of Agriculture as Rural Economic Area Partnership Zones.

In addition, for administrative expenses to carry out the direct loan programs, $4,190,000 shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

RURAL ECONOMIC 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, for the purpose of promoting rural economic development and job creation projects, $14,967,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,197,000.

Of the funds derived from interest on the cushion of credit payments in fiscal year 2003, as authorized by section 313 of the Rural Electrification Act of 1936, $3,197,000 shall not be obligated and $3,197,000 are rescinded.

RURAL COOPERATIVE DEVELOPMENT GRANTS

For rural cooperative development grants authorized under section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932), $9,000,000, of which $2,500,000 shall be for cooperative agreements for the appropriate technology transfer for rural areas program: Provided, That not to exceed $1,500,000 of the total amount appropriated shall be made 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, $14,967,000, 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 305 of the Rural Electrification Act of 1936 (7 U.S.C. 935) shall be made as follows: 5 percent rural electrification loans, $121,103,000; municipal rate rural electric loans, $100,000,000; loans made pursuant to section 306 of that Act, rural electric, $2,600,000,000; Treasury rate direct electric loans, $1,150,000,000; 5 percent rural telecommunications loans, $75,029,000; cost of money rural telecommunications loans, $300,000,000; loans made pursuant to section 306 of that Act, rural telecommunications loans, $120,000,000; and for guaranteed underwriting loans pursuant to section 313A, $1,000,000,000.

For the cost, 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, $1,433,000: Provided, That notwithstanding 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, $37,833,000 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 limits of funds available to such corporation 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 may be necessary in carrying out its authorized programs. During fiscal year 2003 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $174,615,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936 (7 U.S.C. 935), $2,410,000.

In addition, for administrative expenses, including audits, necessary to carry out the loan programs, $3,082,000, which shall be transferred to and merged with the appropriation for ''Rural Development, Salaries and Expenses''.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

For the principal amount of direct distance learning and telemedicine loans, $300,000,000; and for the principal amount of broadband telecommunication loans, $80,000,000.

For the cost of direct loans and grants, as authorized by 7 U.S.C. 950aaa et seq., $56,941,000, to remain available until expended, to be available for loans and grants for telemedicine and distance learning services in rural areas: Provided, That $10,000,000 may be available for

grants to finance broadband transmission and local dial-up Internet service 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, $603,000.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751 et seq.), except 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, of which $5,834,506,000 is hereby appropriated and $4,745,663,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading, $3,300,000 shall be for a School Breakfast Program startup grant pilot program, of which no less than $1,000,000 is for the State of Wisconsin: Provided further, That $200,000 shall be for the Common Roots Program: Provided further, That $500,000 shall be for the Child Nutrition Archive 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. 1786), $4,696,000,000, 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 in such manner, as the Secretary determines necessary, notwithstanding section 17(i) of the Child Nutrition Act, to provide funds to support participation, should costs or participation exceed budget estimates: Provided, That of the total amount available, the Secretary shall obligate $25,000,000 for the farmers' market nutrition program: Provided further, That notwithstanding section 17(h)(10)(A) of such Act, $14,000,000 shall be available for the purposes specified in section 17(h)(10)(B): Provided further, That $2,000,000 shall be available for the Food and Nutrition Service to conduct a study of WIC vendor practices: Provided further, That no other funds made available under this heading shall be used for studies and evaluations: Provided further, That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: Provided further, That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of such Act: Provided further, That none of the funds provided shall be available for activities that are not fully reimbursed by other Federal Government departments or agencies unless authorized by section 17 of such Act.

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011 et seq.), $26,313,692,000, of which $2,000,000,000 shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: Provided, That none of the funds made available under this heading shall be used for studies and evaluations: Provided further, That of the funds made available under this heading and not already appropriated to the Food Distribution Program on Indian Reservations (FDPIR) established under section 4(b) of the Food Stamp Act of 1977 (7 U.S.C. 2013(b)), not to exceed $3,000,000 shall be used to purchase bison meat for the FDPIR from Native American bison producers as well as from producer-owned cooperatives of bison ranchers: Provided further, That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: Provided further, That this appropriation shall be subject to any work registration or workfare requirements as may be required by law: Provided further, That funds made available for Employment and Training under this heading shall remain available until expended, as authorized by section 16(h)(1) of the Food Stamp Act.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) and the Emergency Food Assistance Act of 1983, $164,500,000, to remain available through September 30, 2004: Provided, That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program.

FOOD DONATIONS 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 Compacts of Free Association Act of 1985, $1,081,000, to remain available through September 30, 2004.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $136,560,000, 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 $7,500,000 shall be available to improve integrity in the Food Stamp and Child Nutrition programs.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out 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 integrate activities of the Department in connection with foreign agricultural work, including not to exceed $158,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $129,948,000: 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. 1737) and the foreign assistance programs of the United States Agency for International Development.

In fiscal year 2003 and thereafter, 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 1985, 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 1985, 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 ''Foreign Agricultural Service, 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 1985, $25,159,000, to remain available until expended: Provided, That funds made available for the cost of agreements under title I of the Agricultural Trade Development and Assistance Act of 1954 and for title I ocean freight differential may be used interchangeably between the two accounts with prior notice to the Committees on Appropriations of both Houses of Congress.

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, $1,200,000,000, 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 program, GSM 102 and GSM 103, $4,058,000; 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 $3,224,000 may be transferred to and merged with the appropriation for ''Foreign Agricultural Service, Salaries and Expenses'', and of which $834,000 may be transferred to and merged with the appropriation for ''Farm Service Agency, Salaries and Expenses''.

TITLE VI

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 92–313 for programs and activities 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; $1,630,727,000, 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 but credited during the current year,

in accordance with section 736(g)(4), shall be credited to this appropriation and remain available until expended; and of which not to exceed $25,125,000 to be derived from device user fees authorized by 21 U.S.C. 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 of user fees authorized by 31 U.S.C. 9701: Provided further, That not to exceed $2,300,000 of the total amount appropriated shall be for activities related to legislative affairs: Provided further, That of the total amount appropriated: (1) $413,347,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) $426,671,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs, of which no 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) $199,699,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) $88,972,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) $208,685,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) $40,688,000 shall be for the National Center for Toxicological Research; (7) $36,914,000 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) $107,482,000 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.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $8,000,000, 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, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $85,985,000, including not to exceed $2,000 for official reception and representation expenses.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $38,400,000 (from assessments collected from farm credit institutions and from the Federal Agricultural Mortgage Corporation) shall be obligated during the current fiscal year for administrative expenses as authorized under 12 U.S.C. 2249: 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 372 shall be 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. Funds appropriated by this Act shall be available for employment pursuant to the second sentence of section 706(a) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2225) and 5 U.S.C. 3109.

SEC. 704. The Secretary of Agriculture may transfer unobligated balances of funds appropriated by this Act or other available unobligated balances of the Department of Agriculture to the Working Capital Fund for the acquisition of plant and capital equipment necessary for the delivery of financial, administrative, and information technology services of primary benefit to the agencies of the Department of Agriculture: Provided, That none of the funds made available by this Act or any other Act shall be transferred to the Working Capital Fund without the prior approval of the agency administrator: Provided further, That none of the funds transferred to the Working Capital Fund pursuant to this section shall be available for obligation without the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project; Cooperative State Research, Education, and Extension Service, funds for competitive research grants (7 U.S.C. 450i(b)), funds for the Research, Education and Economics Information System (REEIS), and funds for the Native American Institutions Endowment Fund; Farm Service Agency, salaries and expenses funds made available to county committees; Foreign Agricultural Service, middle-income country training program and up to $2,000,000 of the Foreign Agricultural Service appropriation solely for the purpose of offsetting fluctuations in international currency exchange rates, subject to documentation by the Foreign Agricultural Service.

SEC. 706. 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. 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 pursuant 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 cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the 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 with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

SEC. 709. 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 of the Department of Agriculture when such space will be jointly occupied.

SEC. 710. None of the funds in this Act shall be available to pay indirect costs charged against competitive agricultural research, education, or extension grant awards issued by the Cooperative State Research, Education, and Extension Service that exceed 19 percent of total 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 this Act, 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 loans made available in fiscal year 2003 shall remain available until expended to cover obligations made in fiscal year 2003 for the following accounts: the Rural Development Loan Fund program account, the Rural Telephone Bank program account, the Rural Electrification and Telecommunications Loans program account, the Rural Housing Insurance Fund program, and the Rural Economic Development Loans program account.

SEC. 713. Notwithstanding chapter 63 of title 31, United States Code, marketing services of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service hereafter may use cooperative agreements to reflect a relationship between the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration; the Animal and Plant Health Inspection Service; or the Food Safety and Inspection Service and a state or cooperator to carry out agricultural marketing programs, to carry out programs to protect the nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the nation's food supply.

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 by statute: Provided, That 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 or to the Federal Financing Bank any unobligated balance of the Rural Telephone Bank telephone liquidating account which is in excess of current requirements and such balance shall receive interest as set forth for financial accounts in section 505(c) of the Federal Credit Reform Act of 1990.

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

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

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

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

SEC. 719. 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 collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) 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 collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(c) The Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission shall notify the Committees on Appropriations of both Houses of Congress before implementing a program or activity not carried out during the previous fiscal year unless the program or activity is funded by this Act or specifically funded by any other Act.

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 or any other 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 reduce the Detroit, Michigan, Food and Drug Administration District Office below the operating and full-time equivalent staffing level of July 31, 1999; or to change the Detroit District Office to a station, residence post or similarly modified office; or to reassign residence posts assigned to the Detroit District Office: Provided, That this section shall not apply to Food and Drug Administration field laboratory facilities or operations currently located in Detroit, Michigan, except that field laboratory personnel shall be assigned to 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 or any other Act shall be used to pay the salaries and expenses of personnel who prepare or submit appropriations language as part of the President's Budget submission to the Congress of the United States for programs under the jurisdiction of the Appropriations Subcommittees on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies that assumes revenues or reflects a reduction from the previous year due to user fees proposals that have not been enacted into law prior to the submission of the Budget unless such Budget submission identifies which additional spending reductions should occur in the event the user fees proposals are not enacted prior to the date of the convening of a committee of conference for the fiscal year 2004 appropriations Act.

SEC. 724. None of the funds made available by this Act or any other Act may be used to close or relocate a state Rural Development office unless or 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. 1431(b)), the Secretary of Agriculture shall, to the extent practicable, direct that tonnage equal in value to not more than $25,000,000 shall be made available to foreign countries to assist in mitigating the effects of the Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome on communities, including the provision of—

(1) agricultural commodities to—

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

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

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

SEC. 726. In addition to amounts otherwise appropriated or made available by this Act, $3,000,000 is appropriated for the purpose of providing Bill Emerson and Mickey Leland Hunger Fellowships, as authorized by section 4404 of Public Law 107–171 (2 U.S.C. 1161).

SEC. 727. Notwithstanding section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f), 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. Section 375(e)(6)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(B)) is amended by striking ''$26,000,000'' and inserting ''$26,499,000''.

SEC. 729. Notwithstanding any other provision of law, the City of Coachella, California; the City of Dunkirk, New York; the City of Starkville, Mississippi; the City of Shawnee, Oklahoma; and the City of Berlin, New Hampshire, shall be eligible for loans and grants provided through the Rural Community Advancement Program.

SEC. 730. Notwithstanding any other provision of law, the Secretary shall consider the Cities of Hollister, Salinas, and Watsonville, California; the City of Caldwell, Idaho; the City of Casa Grande, Arizona; the City of Aberdeen, South Dakota; and the City of Vicksburg, Mississippi, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

SEC. 731. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance to the DuPage County, Illinois, Waynewood Drainage Improvement Project, from funds available for the Watershed and Flood Prevention Operations program, not to exceed $1,600,000.

SEC. 732. Notwithstanding any other provision of law, from the funds appropriated to the Rural Utilities Service by this Act, any current Rural Utilities Service borrower within 100 miles of New York City shall be eligible for additional financing, refinancing, collateral flexibility, and deferrals on an expedited basis without regard to population limitations for any financially feasible telecommunications, energy, or water project that assists endeavors related to the rehabilitation, prevention, relocation, site preparation, or relief efforts resulting from the terrorist events of September 11, 2001.

SEC. 733. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 734. None of the funds made 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 Division of Pharmaceutical Analysis in St. Louis, Missouri, outside the city or county limits of St. Louis, Missouri.

SEC. 735. Section 17(a)(2)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(a)(2)(B)) is amended by striking ''2002'' and inserting ''2003''.

SEC. 736. Notwithstanding any other provision of law, the Natural Resources Conservation Service shall provide financial and technical assistance for projects in the Embarras River Basin, Lake County Watersheds, and DuPage County, Illinois, from funds made available for Watershed and Flood Prevention Operations by Public Law 107–76.

SEC. 737. Notwithstanding any other provision of law, of the funds made available in this Act for competitive research grants (7 U.S.C. 450i(b)), the Secretary may use up to 20 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, Extension, and Education Reform Act of 1998 (7 U.S.C. 7621).

SEC. 738. 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 Tygart 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 supply component of this project.

SEC. 739. Agencies and offices of the Department of Agriculture may utilize any unobligated salaries and expenses funds to reimburse the Office of the General Counsel for salaries and expenses of personnel, and for other related expenses, incurred in representing such agencies and offices in the resolution of complaints by employees or applicants for employment, and in cases and other matters pending before the Equal Employment Opportunity Commission, the Federal Labor Relations Authority, or the

Merit Systems Protection Board with the prior approval of the Committees on Appropriations of both Houses of Congress.

SEC. 740. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)).

SEC. 741. None of the funds appropriated or made available by this Act, or any other Act, may be used to pay the salaries and expenses of personnel to carry out subtitle I of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009dd through dd–7).

SEC. 742. 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. 743. None of the funds appropriated or made available by this Act may be used to pay the salaries and expenses of personnel to carry out section 9010 of Public Law 107–171 (7 U.S.C. 8108) that exceed 77 percent of the payment that would otherwise be paid to eligible producers.

SEC. 744. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance through the Watershed and Flood Prevention Operations program for the Kuhn Bayou (Point Remove) project in Arkansas and the Matanuska River erosion control project in Alaska.

SEC. 745. The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

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

(2) by adding at the end the following:

''(o) PRIVATE VOLUNTARY ORGANIZATIONS AND OTHER PRIVATE ENTITIES.—In entering into agreements described in subsection (c), the President (acting through the Secretary)—

''(1) shall enter into agreements with eligible entities described in subparagraphs (C) and (F) of subsection (b)(5); and

''(2) shall not discriminate against such eligible entities.''.

SEC. 746. 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. 747. None of the funds made available in fiscal year 2003 or preceding fiscal years for programs 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 Corporation for the release of eligible commodities under section 302(f)(2)(A) of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1): Provided, That any such funds made available to reimburse the Commodity Credit Corporation shall only be used pursuant to section 302(b)(2)(B)(i) of the Bill Emerson Humanitarian Trust Act.

SEC. 748. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and technical assistance to the Dry Creek/Neff's Grove project, Utah, and the Jefferson River Watershed, Montana.

SEC. 749. Section 307 of Title III—Denali Commission of Division C—Other Matters of Public Law 105–277, as amended, is further amended by adding a new subsection at the end thereof as follows:

''(d) SOLID WASTE.—The Secretary of Agriculture is authorized to make direct lump sum payments which shall remain available until expended to the Denali Commission to address deficiencies in solid waste disposal sites which threaten to contaminate rural drinking water supplies.''.

SEC. 750. The $5,000,000 of unobligated balances available at the beginning of fiscal year 2003 for the experimental Rural Clean Water Program authorized under the heading ''Agricultural Stabilization and Conservation Service—Rural Clean Water Program'' in Public Law 96–108 (93 Stat. 835) and Public Law 96–528 (95 Stat. 3111) are hereby rescinded.

SEC. 751. The Secretary of Agriculture is authorized to make loans and grants to expand the state of Alaska's dairy industry and related milk processing and packaging facilities. There is authorized to be appropriated $5,000,000 to carry out this section for each fiscal years 2003 through 2007.

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

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

SEC. 754. Of the funds made available for the Export Enhancement Program, pursuant to section 301(e) of the Agricultural Trade Act of 1978, as amended by Public Law 104–127, not more than $28,000,000 shall be available in fiscal year 2003.

SEC. 755. Notwithstanding any other provision of law, the Municipality of Carolina, Puerto Rico, shall be eligible for grants and loans administered by the Rural Utilities Service.

SEC. 756. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to carry out the provisions of section 7404 of Public Law 107–171.

SEC. 757. The Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration, that have statutory authority to purchase interest bearing investments outside of Treasury, are not required to establish obligations and outlays for those investments, provided those investments are insured by FDIC or are collateralized at the Federal Reserve with securities approved by the Federal Reserve, operating under the guidelines of the U.S. Treasury.

SEC. 758. Of the funds made available under section 27(a) of the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use up to $10,000,000 for costs associated with the distribution of commodities.

SEC. 759. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel to enroll in excess of 245,833 acres in the calendar year 2003 wetlands reserve program as authorized by 16 U.S.C. 3837.

SEC. 760. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel who carry out an environmental quality incentives program authorized by chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) in excess of $695,000,000.

SEC. 761. Notwithstanding subsections (c) and (e)(2) of section 313A of the Rural Electrification Act (7 U.S.C. 940c(c) and (e)(2)) in implementing section 313A of that Act, the Secretary shall, with the consent of the lender, structure the schedule for payment of the annual fee, not to exceed an average of 30 basis points per year for the term of the loan, to ensure that sufficient funds are available to pay the subsidy costs for note guarantees under that section.

SEC. 762. In addition to amounts appropriated by this Act under the heading ''Public Law 480 Title II Grants'', there is appropriated $250,000,000 for assistance for emergency relief activities: Provided, That the amount appropriated under this section shall remain available through September 30, 2004.

SEC. 763. (a) Section 1001(9) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901(9)) is amended by inserting ''crambe, sesame seed,'' after ''mustard seed,''.

(b) Section 1202 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7932) is amended—

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

''(10) In the case of other oilseeds, $.0960 per pound for each of the following kinds of oilseeds:

''(A) Sunflower seed.
''(B) Rapeseed.
''(C) Canola.
''(D) Safflower.
''(E) Flaxseed.
''(F) Mustard seed.
''(G) Crambe.
''(H) Sesame seed.
''(I) Other oilseeds designated by the Secretary.'';

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

''(10) In the case of other oilseeds, $.0930 per pound for each of the following kinds of oilseeds:

''(A) Sunflower seed.
''(B) Rapeseed.
''(C) Canola.
''(D) Safflower.
''(E) Flaxseed.
''(F) Mustard seed.
''(G) Crambe.
''(H) Sesame seed.
''(I) Other oilseeds designated by the Secretary.'';

(3) by adding at the end the following:

''(c) SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsections (a)(10) and (b)(10).

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

''(1) in the case of dry peas, United States feed peas;

''(2) in the case of lentils, United States number 3 lentils; and

''(3) in the case of small chickpeas, United States number 3 small chickpeas that drop below a 20/64 screen.''.

(c) Section 1204 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7934) is amended—

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

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

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

''(f) REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.—The 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 Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

''(2) the repayment rate established for oil sunflower seed.

''(g) QUALITY GRADES FOR DRY PEAS, LENTILS, AND SMALL CHICKPEAS.—The loan repayment rate for dry peas, lentils, and small chickpeas shall be based on the quality grades for the

applicable commodity specified in section 1202(d).''.

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

SEC. 764. 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 shall make a grant of $200,000 to the Northeast Center for Food Entrepreneurship at the University of Vermont to support value-added projects that contribute to agricultural diversification in the State, to remain available until expended.

SEC. 765. (a) Section 319(e) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314e(e)) is amended in the fifth sentence—

(1) by striking ''; Provided, That'' and inserting '', except that (1)''; 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) During the period beginning on the date of enactment of this Act and ending on the last day of the 2002 marketing year for the kind of tobacco involved, the Secretary of Agriculture may waive the application of section 1464.2(b)(2) of title 7, Code of Federal Regulations.

(c) REGULATIONS.—

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

(2) The promulgation of the regulations and administration of this section and the amendments made by this section shall be made without regard to—

(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 effective July 24, 1971 (36 Fed. Reg. 13804), 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) In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 766. Title III of the Agriculture, Rural Development, Food and Drug Administration, 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, 1549A–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 2003 and subsequent fiscal years to make grants, and 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 504 of the Housing Act of 1949 (42 U.S.C. 1474)''.

SEC. 767. (a) Notwithstanding any other provision of law, for purposes of administering sections 1101 and 1102 of Public Law 107–171, acreage planted to, or prevented from being planted to, popcorn shall be considered as acreage planted to, or prevented from being planted to, corn: Provided, That if a farm program payment yield for corn is otherwise established for a farm under such section 1102, the same yield shall be used for the acreage on the farm planted to, or prevented from being planted to, popcorn: Provided further, That with respect to all other farms, the farm program payment yield for such popcorn acreage shall be established by the Secretary on a fair and equitable basis to reflect the farm program payment yields for corn on similar farms in the area.

(b) This section shall take effect on October 1, 2003.

SEC. 768. Of the funds appropriated for fiscal year 2002 and prior years for grants and contracts to carry out section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c(b)(1)(A)), $11,000,000 is hereby rescinded.

SEC. 769. Notwithstanding any other provision of this Act, the $4,696,000,000 provided for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) shall be exempt from the across-the-board rescission under section 601 of division N.

SEC. 770. During the 180-day period beginning on the date of enactment of this Act, none of the funds made available by this Act or any other Act shall be available to the Secretary of Agriculture to pay the salaries of any personnel—

(1) to amend the terms of a licensing agreement for a grain warehouse (excluding rice) under the United States Warehouse Act (7 U.S.C. 241 et seq.); or

(2) to issue a new license for a grain warehouse (excluding rice) under that Act unless—

(A) the warehouse does not hold (as of the date of enactment of this Act) a Federal or State license for the operation of the warehouse; and

(B) the licensing agreement accompanying the new license conforms to the licensing requirements of the Secretary in effect on January 1, 2003.

SEC. 771. None of the funds made available in this Act may be used to require that a farm satisfy section 2110(c)(1) of the Organic Foods Production Act of 1990 (7 U.S.C. 6509(c)(1)) in order to be certified under such Act as an organic farm with respect to the livestock produced on the farm unless the report prepared by the Secretary of Agriculture pursuant to the recommendations contained in the joint explanatory statement of the Managers on the part of the House of Representatives and the Senate to accompany Public Law 107–171 (House Conference Report 107–424, pages 672–673) confirms the commercial availability of organically produced feed, at not more than twice the cost of conventionally produced feed, to meet current market demands.

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

DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 2003

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

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

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $100,579,000, of which not to exceed $3,137,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and $10,172,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2002: Provided further, That not to exceed 31 permanent positions, 33 full-time equivalent workyears and $3,464,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 15 permanent positions, 20 full-time equivalent workyears and $1,875,000 shall be expended for the Office of Public Affairs: Provided further, That the latter two aforementioned offices 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, forfeited real or personal property of limited or marginal value, as such value is determined by guidelines established by the Attorney General, to a State 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.

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $15,973,000, to remain available until September 30, 2004.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED AUTOMATED IDENTIFICATION SYSTEM INTEGRATION

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 September 30, 2004.

LEGAL ACTIVITIES OFFICE AUTOMATION

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'', and the United States Attorneys, the United States Marshals Service, the Antitrust 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, $15,942,000, to remain available until September 30, 2004.

NARROWBAND COMMUNICATIONS

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, $81,354,000, to remain available until September 30, 2004: Provided, That the Attorney General shall transfer to the ''Narrowband Communications'' account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfers made under this proviso shall be subject to section 605 of this Act.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, $1,000,000, to remain available until expended, to reimburse any Department of Justice organization for: (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of any domestic or international terrorist incident; and (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities: Provided, That any Federal agency may be reimbursed for the costs of detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States: Provided further, That funds provided under this paragraph shall be available only after the Attorney General notifies the Committees on Appropriations of the

House of Representatives and the Senate in accordance with section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $191,535,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee who shall exercise all power and functions authorized by law relating to the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service; and the detention of aliens in the custody of the Immigration and Naturalization Service, $1,366,591,000, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention; the management of funds appropriated to 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: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading ''Federal Prisoner Detention'' shall be transferred to and merged with the appropriation under the heading ''Detention Trustee'' and shall be available until expended: Provided further, That the Trustee, working in consultation with the Bureau of Prisons, shall submit a plan for collecting information related to evaluating the health and safety of Federal prisoners in non-Federal institutions no later than 180 days following the enactment of this Act.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $57,937,000; including not to exceed $10,000 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; 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

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $10,488,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $611,325,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended, and of which not less than $1,996,000 shall be available for necessary administrative expenses in accordance with the Radiation Exposure Compensation Act: Provided, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, as amended, not to exceed $4,028,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $133,133,000: Provided, That, notwithstanding any other provision of law, not to exceed $133,133,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year 2003 appropriation from the general fund estimated at not more than $0.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,503,767,000; of which not to exceed $2,500,000 shall be available until September 30, 2004, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $10,000,000 of those funds available for automated 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 10,113 positions and 10,316 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 1000(a)(1) of Public Law 106–113 shall apply to amounts made available under this heading for fiscal year 2003: Provided further, That of the total amount appropriated, $5,000,000 shall be for Project Seahawk in Charleston, South Carolina.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $155,736,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $155,736,000 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 offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year 2003 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $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, $680,474,000; of which $15,800,000 shall be available for 106 supervisory deputy marshal positions for courthouse security; of which not to exceed $6,000 shall be available for official reception and representation expenses; of which not to exceed $4,000,000 shall be available for development, implementation, maintenance and support, and training for an automated prisoner information system and shall remain available until expended; and $12,061,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until expended: Provided, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,158 positions and 4,023 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

For planning, constructing, renovating, equipping, and maintaining United States Marshals Service prisoner-holding space in United States courthouses and Federal buildings, including the renovation and expansion of prisoner movement areas, elevators, and sallyports, $15,126,000, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For expenses, mileage, compensation, and per diems of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, for per diems in lieu of subsistence, as authorized by law, including advances, and for United States Marshals Service Witness Security program expenses, $175,645,000, to remain available until expended; of which not to exceed $6,000,000 may be made available for planning, construction, renovations, maintenance, remodeling, and repair of buildings, and the purchase of equipment incident thereto, for protected witness safesites; of which not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; of which not to exceed $19,500,000 may be made available for the United States Marshals Service Witness Security program; and of which not to exceed $5,000,000 may be made available for the purchase, installation, 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 and, in addition, up to $1,000,000 of funds made available to the Department of Justice in this Act may be transferred by the Attorney General to this account: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any

transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii), (B), (F), and (G), as amended, $21,901,000, 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, $372,131,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available 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, and hire of passenger motor vehicles; acquisition, lease, maintenance, and operation of aircraft; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, $4,234,587,000; of which not to exceed $65,000,000 for automated data processing and telecommunications and technical investigative equipment, not to exceed $10,000,000 for facilities buildout, and not to exceed $1,000,000 for undercover operations shall remain available until September 30, 2004; of which $475,300,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; of which not less than $153,812,000 shall only be for Joint Terrorism Task Forces; 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 not to exceed $50,000 shall be available for official reception and representation expenses: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 26,447 positions and 25,579 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation.

FOREIGN TERRORIST TRACKING TASK FORCE

For expenses necessary for the Foreign Terrorist Tracking Task Force, including salaries and expenses, operations, equipment, and facilities, $62,000,000.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment 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, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; purchase of not to exceed 1,374 passenger motor vehicles, of which 1,354 will be for replacement only, for police-type use without regard to the general purchase price limitation for the current fiscal year; and acquisition, lease, maintenance, and operation of aircraft, $1,560,919,000; of which not to exceed $33,000,000 for permanent change of station shall remain available until September 30, 2004; of which not to exceed $1,800,000 for research shall remain available until expended, and of which not to exceed $4,000,000 for purchase of evidence and payments for information, not to exceed $10,000,000 for contracting for automated data processing and telecommunications equipment, and not to exceed $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement retrofit and parts, shall remain available until September 30, 2004; of which not to exceed $50,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 7,815 positions and 7,661 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 expenses necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, as follows:

IMMIGRATION ENFORCEMENT AND BORDER AFFAIRS

For salaries and expenses for the Border Patrol, detention and removals, intelligence, investigations, and inspections, including not to exceed $50,000 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; purchase for police-type use (not to exceed 4,565 passenger motor vehicles, of which 3,450 are for replacement only), without regard to the general purchase price limitation for the current fiscal year, and hire of passenger motor vehicles; acquisition, lease, maintenance and operation of aircraft; research related to immigration enforcement; for protecting and maintaining the integrity of the borders of the United States including, without limitation, equipping, maintaining, and making improvements to the infrastructure; and for the care and housing of Federal detainees held in the joint Immigration and Naturalization Service and United States Marshals Service Buffalo Detention Facility, $2,880,819,000; of which not to exceed $5,000,000 is for payments or advances arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to immigration; of which not to exceed $5,000,000 is to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens; of which not to exceed $245,236,000 is for information technology infrastructure: Provided, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That none of the funds appropriated in this Act for the Immigration and Naturalization Service's Entry Exit System may be obligated until the Immigration and Naturalization Service submits a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (3) is reviewed by the General Accounting Office; and (4) has been approved by the Committees on Appropriations: Provided further, That funds provided under this heading shall only be available for obligation and expenditure in accordance with the procedures applicable to reprogramming notifications set forth in section 605 of Public Law 107–77.

IMMIGRATION SERVICES

For salaries and expenses for immigration services, $709,000,000: Provided further, That not to exceed 40 permanent positions and 40 full-time equivalent workyears and $4,300,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That unencumbered positions in the aforementioned offices after the date of enactment of this Act shall be filled only by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis, or any other formal or informal transfer or reimbursement of personnel or funds on either a temporary or long-term basis up to 10 full-time equivalent workyears: Provided further, That the number of positions filled through non-career appointment at the Immigration and Naturalization Service, for which funding is provided in this Act or is otherwise made available to the Immigration and Naturalization Service, shall not exceed six permanent positions and six full-time equivalent workyears: Provided further, That funds may be used, without limitation, for equipping, maintaining, and making improvements to the infrastructure and the purchase of vehicles for police-type use within the limits of the Immigration Enforcement and Border Affairs appropriation.

CONSTRUCTION

For planning, construction, renovation, equipping, and maintenance of buildings and facilities necessary for the administration and enforcement of the laws relating to immigration, naturalization, and alien registration, not otherwise provided for, $258,637,000, to remain available until expended: Provided, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector: Provided further, That the Border Patrol shall relocate its checkpoints in the Tucson sector at least once every seven days in a manner designed to prevent persons subject to inspection from predicting the location of any such checkpoint.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 713, of which 504 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $4,071,251,000, of which $1,463,997,000 shall be for Inmate Care and Programs, $1,880,763,000 shall be for Institution Security and Administration, $571,077,000 shall be for Contract Confinement, and $155,414,000 shall be for Management and Administration: 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 a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2004: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, as amended, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and 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, $399,227,000, 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: Provided further, That not to exceed 10 percent of the funds appropriated to ''Buildings and Facilities'' in this or any other Act may be transferred to ''Salaries and Expenses'', Federal Prison System, upon notification by the Attorney General to the Committees on Appropriations of the House of Representatives and the Senate in compliance with provisions set forth in section 605 of this Act.

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 fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

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 expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which the said accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, and with the Victims of Crime Act of 1984, as amended, $201,291,000, to remain available until expended: Provided, That all balances under this heading for counterterrorism programs may be transferred to and merged with the appropriation for ''Domestic Preparedness''.

OFFICE FOR DOMESTIC PREPAREDNESS

For grants, cooperative agreements, and other assistance authorized by sections 819 and 821 of the Antiterrorism and Effective Death Penalty Act of 1996 and for other counterterrorism programs, including training, exercises and equipment for fire, emergency medical, hazmat, law enforcement, and other first responders to prevent and respond to acts of terrorism, including incidents involving weapons of mass destruction or chemical or biological weapons, $1,000,000,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); the Victims of Child Abuse Act of 1990, as amended (''the 1990 Act''); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386) and other programs; $2,065,269,000 (including amounts for administrative costs, which shall be transferred to and merged with the ''Justice Assistance'' account): Provided, That $17,667,000 shall be derived from prior year unobligated balances from Local Law Enforcement Block Grants, and $3,323,000 shall be derived from prior year unobligated balances from residential substance abuse treatment for State prisoners: Provided further, That funding provided under this heading shall remain available until expended as follows:

(1) $400,000,000 for Local Law Enforcement Block Grants, pursuant to H.R. 728 as passed by the House of Representatives on February 14, 1995, except that for purposes of this Act and retroactive to October 1, 2000, Guam shall be considered as one ''State'' for all purposes under H.R. 728, notwithstanding any provision of section 108(3) thereof, the Commonwealth of Puerto Rico shall be considered a ''unit of local government'' as well as a ''State'', for the purposes set forth in paragraphs (A), (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728, and for establishing crime prevention programs involving cooperation between community residents and law enforcement personnel in order to control, detect, or investigate crime or the prosecution of criminals: Provided, That no funds provided under this heading may be used as matching funds for any other Federal grant program, of which:

(A) $80,000,000 shall be for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement: Provided, That funds may also be used to defray the costs of indemnification insurance for law enforcement officers;

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

(C) $3,000,000 for Citizen Corps programs administered by the Department of Justice;

(2) $250,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended;

(3) $5,000,000 for the Cooperative Agreement Program;

(4) $18,000,000 for assistance to Indian tribes, of which:

(A) $5,000,000 shall be available for grants under section 20109(a)(2) of subtitle A of title II of the 1994 Act;

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

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

(5) $650,914,000 for programs authorized by part E of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act, of which $150,914,000 shall be for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs;

(6) $390,165,000 for programs to address violence against women, of which:

(A) $11,975,000 shall be for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act;

(B) $2,296,000 shall be for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act;

(C) $998,000 shall be for grants for televised testimony, as authorized by section 1001(a)(7) of the 1968 Act;

(D) $184,537,000 shall be for Grants to Combat Violence Against Women as authorized by section 1001(a)(18) of the 1968 Act, of which:

(i) $1,000,000 shall be for the Bureau of Justice Statistics for grants, contracts, and other assistance for a domestic violence Federal case processing study;

(ii) $5,200,000 shall be for the National Institute of Justice for grants, contracts, and other assistance for research and evaluation of violence against women; and

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

(E) $64,925,000 shall be for Grants to Encourage Arrest Policies as authorized by section 1001(a)(19) of the 1968 Act;

(F) $39,945,000 shall be for Rural Domestic Violence and Child Abuse Enforcement Assistance Grants, as authorized by section 40295 of the 1994 Act;

(G) $4,989,000 shall be for training programs as authorized by section 40152(c) of the 1994 Act, and for local demonstration projects;

(H) $3,000,000 shall be for grants to improve the process for entering data regarding stalking and domestic violence into local, State, and national crime information databases, as authorized by section 40602 of the 1994 Act;

(I) $10,000,000 shall be for grants to reduce Violent Crimes Against Women on Campus, as authorized by section 1108(a) of Public Law 106–386;

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

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

(L) $15,000,000 shall be for the Safe Havens for Children Pilot Program as authorized by section 1301 of Public Law 106–386; and

(M) $7,500,000 shall be for Education and Training to end violence against and abuse of women with disabilities, as authorized by section 1402 of Public Law 106–386;

(7) $10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386;

(8) $65,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by section 1001(a)(17) of the 1968 Act;

(9) $898,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(10) $45,000,000 for Drug Courts, as authorized by Part EE of Title I of the 1968 Act;

(11) $1,497,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act;

(12) $1,995,000 for public awareness programs addressing marketing scams aimed at senior citizens, as authorized by section 250005(3) of the 1994 Act;

(13) $190,000,000 for Juvenile Accountability Incentive Block Grants, of which $25,000,000 shall be available for grants, contracts, and other assistance under the Project ChildSafe Initiative, except that such funds shall be subject to the same terms and conditions as set forth in the provisions under this heading for this program in Public Law 105–119, but all references in such provisions to 1998 shall be deemed to refer instead to 2003, and Guam shall be considered a ''State'' for the purposes of title III of H.R. 3, as passed by the House of Representatives on May 8, 1997;

(14) $1,300,000 for Motor Vehicle Theft Prevention Programs, as authorized by section 220002(h) of the 1994 Act;

(15) $7,500,000 for a prescription drug monitoring program;

(16) $13,000,000 for implementation of prison rape prevention and prosecution programs including a statistical review and analysis of the incidence and effects of prison rape, the establishment of a national clearinghouse for provision of information and assistance for Federal, State, and local officials, grants to States, units of local government, prisons, and prison systems for prison rape prevention and prosecution efforts, and the development of national standards for enhancing the detection, prevention, reduction, and punishment of prison rape; and

(17) $15,000,000 for terrorism prevention and response training for law enforcement and other responders:

Provided, That funds made available in fiscal year 2003 under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of death penalty Federal habeas corpus petitions 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 nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $58,925,000, to remain available until expended, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: Provided, That funds 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 Attorney General notifies the Committees on 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), $928,912,000, to remain available until expended: Provided, That section 1703 (b) and (c) 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 redeployment demonstration described in section 1701(b)(1)(C) shall not apply to equipment, technology, support system or overtime grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.).

Of the amounts provided:

(1) for Public Safety and Community Policing Grants pursuant to title I of the 1994 Act, $353,238,000 as follows: $200,000,000 for the hiring of law enforcement officers including school resource officers to prevent acts of terrorism and other violent and drug-related crimes, of which up to 30 percent shall be available for overtime expenses; $20,622,000 for training and technical assistance; $25,444,000 for the matching grant program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (''the 1968 Act''); $35,000,000 to improve tribal law enforcement including equipment and training; $57,132,000 for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in ''drug hot spots''; and $15,000,000 for Police Corps education, training, and service under sections 200101–200113 of the 1994 Act: Provided, That funding agreements shall include the funding for the outyear program costs of new recruits;

(2) for crime technology, $400,567,000 as follows: $189,954,000 for a law enforcement technology program; $20,000,000 for the COPS Interoperable Communications Technology Program; $40,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); $41,000,000 for DNA analysis and backlog reduction of which $36,000,000 shall be used as authorized by the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) and 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. 3797j et seq.); $40,538,000 for State and local DNA laboratories as authorized by section 1001(a)(22) of the 1968 Act, and improvements to laboratory general forensic science capacity and capabilities; and $69,075,000 for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which $17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies and training;

(3) for prosecution assistance, $85,000,000 as follows: $45,000,000 for a national program to reduce gun violence, and $40,000,000 for the Southwest 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 local U.S. Attorneys offices;

(4) for grants, training, technical assistance, and other expenses to support community crime prevention efforts, $57,107,000 as follows: $10,000,000 for Project Sentry; $14,934,000 for an offender re-entry program; $15,210,000 for the Safe Schools Initiative; and $16,963,000 for a police integrity program; and

(5) not to exceed $33,000,000 for program management and administration.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (''the Act''), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $264,306,000, 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, $6,832,000 shall be available for expenses authorized by part A of title II of the Act, $83,800,000 shall be available for expenses authorized by part B of title II of the Act, including training and technical assistance to help small, nonprofit organizations with the Federal grants process, and $89,257,000 shall be available for expenses authorized by part C of title II of the Act and other juvenile justice programs: Provided, That $26,442,000 of the amounts provided for part B of title II of the Act, as amended, is for the purpose of providing additional formula grants under part B to States that provide assurances to the Administrator that the State has in effect (or will have in effect no later than 1 year after date of application) policies and programs that ensure that juveniles are subject to accountability-based sanctions for every act for which they are adjudicated delinquent; (2) $11,974,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) $9,978,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) $15,965,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) $46,500,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs; of which $12,472,000 shall be for delinquency prevention, control, and system improvement programs for tribal youth; of which $6,500,000 shall be available for the Safe Schools Initiative including $5,000,000 for grants, contracts, and other assistance under the Project Sentry Initiative; and of which $25,000,000 shall be available for grants of $360,000 to each State and $6,640,000 shall be available for 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, prevention and reduction of consumption of alcoholic beverages by minors, and 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), part E (relating to State Challenge Activities), and part G (relating to Mentoring) of title II of the Juvenile Justice and Delinquency Prevention Act of 1974, and to carry out the At-Risk Children's Program under title V of that Act, not more than 10 percent of each such amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized under the appropriate 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 that part or title.

In addition, for grants, contracts, cooperative agreements, and other assistance authorized by the Victims of Child Abuse Act of 1990, as amended, $11,000,000, to remain available until expended, as authorized by section 214B of the Act.

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 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (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

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $45,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses in accordance with distributions, procedures, and regulations established by the Attorney General.

SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 104 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. 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 publicly advertised, extraordinary rewards may be paid, which shall not be subject to spending limitations contained in sections 3059 and 3072 of title 18, United States Code: Provided, That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General and such approval may not be delegated: Provided further, That rewards made pursuant to section 501 of Public Law 107–56 shall not be subject to this section.

SEC. 106. 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 available for obligation except in compliance with the procedures set forth in that section.

SEC. 107. Section 114 of Public Law 107–77 shall remain in effect during fiscal year 2003.

SEC. 108. Section 286(e) of the Immigration and Nationality Act (8 U.S.C. 1356(e)) is amended by striking paragraph (3) and replacing it with the following:

''(3) The Attorney General shall charge and collect $3 per individual for the immigration inspection or pre-inspection of each commercial vessel passenger whose journey originated in the United States or in any place set forth in paragraph (1): Provided, That this requirement shall not apply to immigration inspection at designated ports of entry of passengers arriving by ferry, or by Great Lakes vessels on the Great Lakes and connecting waterways when operating on a regular schedule. For the purposes of this paragraph, the term 'ferry' means a vessel, in other than ocean or coastwise service, having provisions only for deck passengers and/or vehicles, operating on a short run on a frequent schedule between two points over the most direct water route, and offering a public service of a type normally attributed to a bridge or tunnel.''.

SEC. 109. The Director of the Federal Bureau of Investigation shall appoint a standing advisory panel, reporting directly to the Director, to study, assess, and advise periodically on the research, development, and application of existing and emerging science and technology advances and other topics: Provided, That the panel shall not be considered to be a Federal advisory committee for purposes of the Federal Advisory Committee Act.

SEC. 110. Public Law 107–273 is amended—

(1) in section 12222(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 12223(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 12223(b), by replacing ''Act'' with ''subtitle'', and all the matter after ''beginning'' with ''on or after the effective date provided in subsection (a).''.

SEC. 111. The law enforcement training facility described in section 8150 of Public Law 107–248 is hereby established as a permanent training facility.

SEC. 112. The Attorney General, in consultation with the Secretary of Homeland Security, shall provide to the Committees on Appropriations by March 1, 2003 all National Security Entry Exit Registration System documents and materials: (1) used in the creation of the System, including any predecessor programs; (2) assessing the effectiveness of the System as a tool to enhance national security; (3) used to determine the scope of the System, including countries selected for the program, and the gender, age, and immigration status of the persons required to register under the program; (4) regarding future plans to expand the System to additional countries, age groups, women, and persons holding other immigration statuses not already covered; (5) explaining whether the Department of Justice consulted with other Federal agencies in the development of the System, and if so, all documents and materials relating to those consultations; (6) concerning policy directives or guidance issued to officials about implementation of the System, including the role of the Federal Bureau of Investigation in conducting national security background checks of registrants; (7) explaining why certain Immigration and Naturalization Service District Offices detained persons with pending status-adjustment applications; and (8) explaining how information gathered during interviews of registrants will be stored, used, or transmitted to other Federal, State, or local agencies.

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

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $34,999,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $98,000 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 services as 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 law, and for engaging 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 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for 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 $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $370,192,000, to remain available until expended, of which $8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $67,669,000 shall be for Trade Development, $31,204,000 shall be for Market Access and Compliance, $44,229,000 shall be for the Import Administration, $202,040,000 shall be for the United States and Foreign Commercial Service, and $25,050,000 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 without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services 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 $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $74,653,000, to remain available until September 30, 2004, of which $7,250,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as

part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, and for trade adjustment assistance, $290,000,000, 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 pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $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, $72,158,000, to remain available until September 30, 2004.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $183,000,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2000 decennial census, $41,893,000, to remain available until expended: Provided, That, of the total amount available related to the 2000 decennial census ($41,893,000 in new appropriations and $41,817,000 in deobligated balances from prior years), $3,461,000 is for Program Development and Management; $42,651,000 is for Data Content and Products; $4,630,000 is for Field Data Collection and Support Systems; $12,826,000 is for Automated Data Processing and Telecommunications Support; $16,333,000 is for Testing and Evaluation; $2,472,000 is for activities related to Puerto Rico, the Virgin Islands and Pacific Areas; and $1,337,000 is for Marketing, Communications and Partnership activities.

In addition, for expenses related to planning, testing, and implementing the 2010 decennial census, $146,306,000.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $183,283,000, to remain available until expended: Provided, That regarding engineering and design of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That none of the funds provided in this Act or any other Act under the heading ''Bureau of the Census, Periodic Censuses and Programs'' shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $14,700,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the National Telecommunications and Information Administration Organization Act, 47 U.S.C. 902–903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $43,556,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $2,478,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $15,503,000, to remain available until expended as authorized by section 391 of the Act, as amended: Provided, That not to exceed $3,097,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services: Provided further, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,015,229,000, to remain available until expended, which amount shall be derived from offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, and shall be retained and used for necessary expenses in this appropriation: Provided, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to result in a fiscal year 2003 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2003, should the total amount of offsetting fee collections be less than $1,015,229,000, the total amounts available to the United States Patent and Trademark Office shall be reduced accordingly: Provided further, That an additional amount not to exceed $166,771,000 from fees collected in prior fiscal years shall be available for obligation in fiscal year 2003, to remain available until expended: Provided further, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2003 for official reception and representation expenses.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $9,886,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $359,411,000, to remain available until expended, of which not to exceed $282,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $106,623,000, to remain available until expended: Provided, That hereafter the Secretary of Commerce is authorized to enter into agreements with one or more nonprofit organizations for the purpose of carrying out collective research and development initiatives pertaining to 15 U.S.C. 278k paragraph (a), and is authorized to seek and accept contributions from public and private sources to support these efforts as necessary.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $180,000,000, to remain available until expended, of which $60,700,000 shall be expended for the award of new grants before October 1, 2003.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $66,100,000, to remain available until expended.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized, $2,313,519,000, to remain available until September 30, 2004: Provided, That fees and donations received by the National Ocean Service for

the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That, in addition, $65,000,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000, unless funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year: Provided further, That if funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year, then no State shall receive more than five percent or less than one percent of the additional funds: Provided further, That, of the $2,395,519,000 provided for in direct obligations under this heading (of which $2,313,519,000 is appropriated from the General Fund, $65,000,000 is provided by transfer, and $17,000,000 is derived from deobligations from prior years), $417,933,000 shall be for the National Ocean Service, $580,066,000 shall be for the National Marine Fisheries Service, $374,740,000 shall be for Oceanic and Atmospheric Research, $698,767,000 shall be for the National Weather Service, $150,616,000 shall be for the National Environmental Satellite, Data, and Information Service, and $173,397,000 shall be for Program Support: Provided further, That, of the amount provided under this heading, $273,022,000 shall be for the conservation activities defined in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act and, further, that any direct administrative expenses applied against an assigned activity shall be limited to 5 percent of the funds provided for that assigned activity so that total National Oceanic and Atmospheric Administration administrative expenses shall not exceed $243,000,000: 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: Provided further, That the Secretary of Commerce will designate a National Marine Fisheries Service Regional Office for the Pacific Area within sixty days of enactment of this Act: Provided further, That the existing National Marine Fisheries Service Southwest Region and Fisheries Science Center and Northwest Region and Fisheries Science Center shall not be merged or reorganized to form the new National Marine Fisheries Service Pacific Area Regional Office, that the current structure, organization, function, and funding of the Southwest and Northwest Centers will not be changed except for funds that are already dedicated to the Hawaiian Islands, and that each regional organization will have the lead responsibility for its own programs: Provided further, That the Secretary of Commerce may enter into cooperative agreements with the Joint and Cooperative Institutes as designated by the Secretary to use the personnel, services, or facilities of such organizations for research, education, training, and outreach.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $759,030,000, to remain available until March 1, 2006, except for funds appropriated for the National Marine Fisheries Service Honolulu Laboratory and for the National Environmental Satellites, Data, and Information Service, which shall remain available until expended: Provided, That unexpended balances of amounts previously made available in the ''Operations, Research, and Facilities'' account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated: Provided further, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That of the amount provided under this heading for expenses necessary to carry out conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, including funds for the Coastal and Estuarine Land Conservation Program, $76,179,000, to remain available until expended: Provided further, That the Secretary shall establish a Coastal and Estuarine Land Conservation Program, for the purpose of protecting important coastal and estuarine areas that have significant conservation, recreation, ecological, historical, or aesthetic values, or that are threatened by conversion from their natural or recreational state to other uses: Provided further, That none of the funds provided in this Act or any other Act under the heading ''National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction'' shall be used to fund the General Services Administration's standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada, $90,000,000: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

In addition, for a final payment pursuant to the 1999 Pacific Salmon Treaty Agreement, $40,000,000, of which $25,000,000 shall be deposited in the Northern Boundary and Transboundary Rivers Restoration and Enhancement Fund, and of which $15,000,000 shall be deposited in the Southern Boundary Restoration and Enhancement Fund: Provided, That this amount shall be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $1,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), the American Fisheries Promotion Act (Public Law 96–561) and the International Dolphin Conservation Program Act (Public Law 105–42), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $1,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $287,000, as authorized by the Merchant Marine Act of 1936, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $59,000,000 for Traditional direct loans, of which not less than $40,000,000 may be used for direct loans to the United States distant water tuna fleet: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $44,954,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11, as amended by Public Law 100–504), $20,635,000.

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, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901–5902).

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

SEC. 204. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Commerce, Justice, State Appropriations Act.

SEC. 205. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available

for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. Hereafter the Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949.

SEC. 207. The Secretary of Commerce may use the Commerce franchise fund for expenses and equipment necessary for the maintenance and operation of such administrative services as the Secretary determines may be performed more advantageously as central services, pursuant to section 403 of Public Law 103–356: Provided, That any inventories, equipment, and other assets pertaining to the services to be provided by such fund, either on hand or on order, less the related liabilities or unpaid obligations, and any appropriations made for the purpose of providing capital shall be used to capitalize such fund: Provided further, That such fund shall be paid in advance from funds available to the Department and other Federal agencies for which such centralized services are performed, at rates which will return in full all expenses of operation, including accrued leave, depreciation of fund plant and equipment, amortization of automated data processing (ADP) software and systems (either acquired or donated), and an amount necessary to maintain a reasonable operating reserve, as determined by the Secretary: Provided further, That such fund shall provide services on a competitive basis: Provided further, That an amount not to exceed 4 percent of the total annual income to such fund may be retained in the fund for fiscal year 2003 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of department financial management, ADP, and other support systems: Provided further, That such amounts retained in the fund for fiscal year 2003 and each fiscal year thereafter shall be available for obligation and expenditure only in accordance with section 605 of this Act: Provided further, That no later than 30 days after the end of each fiscal year, amounts in excess of this reserve limitation shall be deposited as miscellaneous receipts in the Treasury: Provided further, That such franchise fund pilot program shall terminate pursuant to section 403(f) of Public Law 103–356.

SEC. 208. 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 the Thayer School of Engineering for the nanocrystalline materials and biomass research initiative, $3,000,000 is appropriated to the Institute for Information Infrastructure Protection at the Institute for Security Technology Studies, $4,000,000 is appropriated for the Institute for Politics, and $1,260,000 is appropriated to the Franklin Pierce Manse.

SEC. 209. Of the amount available from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', $10,000,000 shall be provided 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 (hereinafter ''Board'') which is hereby established to award grants to market, develop, and promote Alaska seafood and improve related technology and transportation with emphasis on wild salmon, of which 20 percent shall be transferred to the Alaska Seafood Marketing Institute. The Board shall be appointed by the Secretary of Commerce and shall be administered by an Executive Director to be appointed by the Secretary. The Board shall submit an annual report to the Secretary detailing the expenditures of the board.

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

(b) The United States Travel and Tourism Promotion Advisory Board (hereinafter ''Board'') is established to recommend the appropriate coordinated activities to the Secretary for funding.

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

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

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

SEC. 211. From funds made available from the ''Operations and Training'' account, not more than $50,000 shall be made available to the Maritime Administration for administrative expenses to oversee the implementation of this section for the purpose of recovering economic and national 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): Provided, That the owner of any ship documented under the authority of this section shall offset such appropriation through the payment of fees to the Maritime Administration not to exceed the appropriation and that such fees be deposited as an offsetting collection to this appropriation: Provided further, That notwithstanding any other provision of law, one or both ships originally contracted under section 8109 of Public Law 105–56 may be constructed to completion in a shipyard located outside of the United States and the owner thereof (or a related person with respect to that owner) may document one or both ships under U.S. flag with a coastwise endorsement, and notwithstanding any other provision of law, and 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: (1) the owner of any cruise ship documented under the authority of this section is a citizen of the United States within the meaning of 46 U.S.C. 12102(a), (2) the foreign-built cruise ship re-documented under the authority of this section meets the eligibility requirements for a certificate of inspection under section 1137(a) of Public Law 104–324 and applicable international agreements and guidelines referred to in section 1137(a)(2) thereof and the 1992 Amendments to the Safety of Life at Sea Convention of 1974, and that with respect to the re-documented foreign-built cruise ship, any repair, maintenance, alteration, or other preparation necessary to meet such requirements be performed in a United States shipyard, (3) any non-warranty repair, maintenance, or alteration work performed on any ship documented under the authority of this section shall be performed in a United States shipyard unless the Administrator of the Maritime Administration finds that such services are not available in the United States or if an emergency dictates that the ship proceed to a foreign port for such work, (4) any ship documented under the authority of this section shall operate in regular service transporting passengers between or among the islands of Hawaii and shall not transport passengers in revenue service to ports in Alaska, the Gulf of Mexico, or the Caribbean Sea, except as part of a voyage to or from a shipyard for ship construction repair, maintenance, or alteration work, (5) no person, nor any ship operating between or among the islands of Hawaii, shall be entitled to the preference contained in the second proviso of section 8109 of Public Law 105–56, and (6) no cruise ship operating in coastwise trade under the authority of this section or constructed under the authority of this section shall be eligible for a guarantee of financing under title XI of the Merchant Marine Act 1936: Provided further, That any cruise ship to be documented under the authority of this section shall be immediately eligible before documentation of the vessel for the approval contained in section 1136(b) of Public Law 104–324: Provided further, That for purposes of this section the term ''cruise ship'' means a vessel that is at least 60,000 gross tons and not more than 120,000 gross tons (as measured under chapter 143 of title 46, United States Code) and has berth or stateroom accommodations for at least 1,600 passengers, the term ''one or both ships'' means collectively the partially completed hull and related components, equipment, and parts of whatever kind acquired pursuant to the construction contract described in section 8109 of Public Law 105–56 and intended to be incorporated into the ships constructed thereto, the term ''related person'' means with respect to a person: a holding company, subsidiary, or affiliate of such person meeting the citizenship requirements of section 12102(a) of title 46, United States Code, and the term ''regular service'' means the primary service in which the ship is engaged on an annual basis.

SEC. 212. (a) The Secretary of Commerce shall implement a fishing 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)–(e); except that the program may apply to multiple fisheries; 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 payments that specifies the contractual terms and conditions under which bids shall he 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 fishery is eligible for capacity reduction under the program implemented under this section; except that no vessel harvesting and 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 persons who have been issued 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 votes cast in each fishery 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 not prepare or 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, in accordance with applicable law; or the Secretary from promulgating regulations (including regulations governing this program), after an industry fee system has been approved by the reduction fishery.

(e) The Secretary shall determine, and state in the public notice published under paragraph

(a), all program implementation aspects the Secretary deems relevant.

(f) Any bid submitted in response to the invitation to bid issued by the Secretary under this section shall be irrevocable; the Secretary shall use a bid acceptance procedure that ranks each bid in accordance with this paragraph and with additional criteria, if any, established by the Secretary: for each bid from a qualified bidder that meets the bidding requirements in the public notice or the invitation to bid, 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 based on the 3 highest total annual revenues earned from such stocks that the bidder's reduction vessel landed during 1998, 1999, 2000, or 2001. For purposes of this paragraph, the term ''total annual revenue'' means the revenue earned in a single year from such stocks. The Secretary shall accept each qualified bid in rank order of bid score from the lowest to the highest until acceptance of the next qualified bid with the next lowest bid score would cause the reduction cost to exceed the reduction loan's maximum amount. Acceptance of a bid by the Secretary shall create a binding reduction contract between the United States and the person whose bid is accepted, the performance of which shall be subject only to the conclusion of a successful referendum, except that a person whose bid is accepted by the Secretary under this section shall relinquish all permits in the reduction fishery and any Dungeness crab and Pink shrimp permits issued by Washington, Oregon, or California; except that the Secretary shall revoke the Pacific groundfish permit, as well as all Federal fishery licenses, fishery permits, area, and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program.

(g) 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; and multiplying the reduction loan amount by each of the quotients resulting from each of the divisions above. Each of the resulting products shall be the reduction loan sub-amount for the reduction fishery and for each of the fee-share fisheries to which each of such products pertains; except that, each fish seller in the reduction fishery and in each of the fee-share fisheries shall pay the fees required by the reduction loan sub-amounts allocated to it under this paragraph; except that, the Secretary may enter into agreements with Washington, Oregon, and California to collect any fees established under this paragraph.

(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 appropriate State fisheries management and conservation provisions in each of the fee-share fisheries that establishes a program that meets the requirements of 16 U.S.C. 141861a(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 fishery'' means that portion of a fishery holding limited entry fishing permits endorsed for the operation of trawl gear and issued under the Federal Pacific Coast Groundfish Fishery Management Plan.

SEC. 213. (a) The National Oceanic and Atmospheric Administration is authorized to enter into a lease arrangement whereby the National Oceanic and Atmospheric Administration will relocate the National Weather Service Forecasting Office in Galveston County, League City, Texas to a Galveston County facility and, in exchange, Galveston County may use the existing National Oceanic and Atmospheric Administration National Weather Service Forecasting Office.

(b) Neither the National Oceanic and Atmospheric Administration National Weather Service nor Galveston County will charge the other rent for use of the space and each will be responsible for the operation, maintenance and renovation costs it incurs.

SEC. 214. (a) Hereafter, habitat conservation activities, enforcement and surveillance—cooperative enforcement and vessel monitoring, stock assessments—data collection, and highly migratory shark fishery research under the heading, ''National Oceanic and Atmospheric Administration, Operations, Research and Facilities'', shall be considered to be within the ''Coastal Assistance sub-category'' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(b) For fiscal year 2004 and thereafter, response and restoration activities, Cooperative Research, Protected Species activities, Endangered Species Act—Marine Mammals, Sea Turtles and Other Species, Endangered Species Act—Right Whales, Marine Mammal Protection, and Sea Grant (except for the fellowship program) under the heading, ''National Oceanic and Atmospheric Administration, Operations, Research, and Facilities'', shall be considered to be within the ''Coastal Assistance sub-category'' in section 250(c)(4)(K) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(c) All references to outlays in title VIII of Public Law 106–291 are repealed.

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

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $45,743,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect as authorized by law, $41,626,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $20,313,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $13,687,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $3,800,000,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

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

DEFENDER SERVICES

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 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty 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 by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $538,461,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $54,636,000, to remain available until expended: Provided, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 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 courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $268,400,000, of which not to exceed $10,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $63,500,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $20,856,000; of which $1,800,000 shall remain available through September 30, 2004, to provide education and training to Federal court personnel; and of which not to exceed $1,000 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 by 28 U.S.C. 377(o), $27,700,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $5,200,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $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, $12,090,000, of which not to exceed $1,000 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, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', 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 available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: Provided, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

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 and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948, as amended; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,269,258,000: Provided, That, of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the ''Emergencies in the Diplomatic and Consular Service'' appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That, of the amount made available under this heading, $292,693,000 shall be available only for public diplomacy international information programs: Provided further, That, of the amount made available under this heading, $500,000 shall be available only for grants to the participating organizations in the War Against Trafficking Alliance for activities and services related to preparation, execution and follow-up for an international conference on sex trafficking: Provided further, That the Secretary shall appoint an advisory panel, reporting directly to the Secretary, to assess policy goals and program priorities with regard to United States relations with the countries of Sub-Saharan Africa and to advise the Secretary of any related findings and recommendations: Provided further, That this panel shall not be considered to be a Federal advisory committee for purposes of the Federal Advisory Committee Act (5 U.S.C. App): Provided further, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee U.S. participation in the United Nations headquarters renovation project: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

In addition, not to exceed $1,343,000 shall be derived from fees collected from other executive 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 reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $553,000,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $183,311,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $29,264,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $245,306,000, to remain available until expended: Provided, That not to exceed $2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

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

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $11,000,000, to remain available until September 30, 2004.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $508,500,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $755,000,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

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

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $612,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $18,450,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

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

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $866,000,000: Provided, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization:

Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: Provided further, That funds appropriated under this paragraph may be obligated and expended to pay the full United States assessment to the civil budget of the North Atlantic Treaty Organization.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $673,710,000, of which 15 percent shall remain available until September 30, 2004: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

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

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

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

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $25,482,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,450,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $9,472,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $17,100,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), as amended, $10,444,000, to remain available until expended, as authorized.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2003, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not 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.

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 Fund on or before September 30, 2003, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $18,000,000, of which $2,500,000 shall remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $42,000,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, $468,898,000, of which not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING TO CUBA

For necessary expenses to enable the Broadcasting Board of Governors to carry out broadcasting to Cuba, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and 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, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $12,740,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 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. 1343(b).

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 appropriation, 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 a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 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. 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, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 405. (a) Within 90 days of enactment of this Act, the Secretary of the Navy shall transfer, without compensation, to the Secretary of State administrative jurisdiction over the parcels of real property, together with any improvements thereon, consisting in aggregate 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 Holland Street, Dyess Avenue, and Hobson Avenue to the entrance way immediately west of Building 202.

(2) A parcel bounded on the north by Dyess Avenue comprising Building 644.

(c) The transfer of jurisdiction of real property under subsection (a) shall not effect 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.

(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.

SEC. 406. (a) The Interagency Task Force to Monitor and Combat Trafficking shall establish a Senior Policy Operating Group.

(b) The Operating Group shall consist of the senior officials designated as representatives of the appointed members of the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (established under Executive Order 13257 of February 13, 2002).

(c) The Operating Group shall coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons and the implementation of this division.

(d) The Operating Group shall fully share information regarding agency plans, before and after final agency decisions are made, on all matters regarding grants, grant policies, and other significant actions regarding the international trafficking of persons and the implementation of this division.

(e) The Operating Group shall be chaired by the Director of the Office to Monitor and Combat Trafficking of the Department of State.

(f) The Operating Group shall meet on a regular basis at the call of the chair.

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 U.S.-flag merchant fleet to serve the national security needs of the United States, $98,700,000, to remain available until September 30, 2005.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $92,696,000, of which $13,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $11,161,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

For administrative expenses to carry out the guaranteed loan program, not to exceed $4,126,000, which shall be transferred to and merged with the appropriation for Operations and Training.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: Provided, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

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

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $499,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,096,000: Provided, That not to exceed $50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $2,884,000, to remain available until expended.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

For the necessary expenses of the Commission on Ocean Policy, $2,000,000, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $1,582,000, to remain available until expended as authorized by section 3 of Public Law 99–7.

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, as authorized, $1,380,000, including not more than $3,000 for the purpose of official representation, to remain available until expended.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, as amended (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, as amended, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $308,822,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $600,000 for land and structure; not to exceed $500,000 for improvement and care of grounds and repair to buildings; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $271,000,000, of which not to exceed $300,000 shall remain available until September 30, 2004, for research and policy studies: Provided, That $269,000,000 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 as such offsetting collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at $2,000,000: Provided further, That any offsetting collections received in excess of $269,000,000 in fiscal year 2003 shall remain available until expended, but shall not be available for obligation until October 1, 2003.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936, as amended (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $16,700,000: Provided, That not to exceed $2,000 shall be available for official reception and representation expenses.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $2,000 for official reception and representation expenses, $176,608,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718, as amended: Provided further, That, notwithstanding any other provision of law, not to exceed $168,100,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, and offsetting collections derived from fees sufficient to implement and enforce the do-not-call provisions of the Telemarketing Sales Rule, 16 C.F.R. Part 310, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), estimated at $18,100,000, shall be collected pursuant to this authority: Provided further, That all offsetting collections shall be credited to this appropriation, used for necessary expenses, and remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year 2003 appropriation from the general fund estimated at not more than $8,508,000: Provided further, That none of the funds made available to the Federal Trade Commission shall be available for obligation for expenses authorized by section 151 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242; 105 Stat. 2282–2285).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $338,848,000, of which $9,500,000 is to provide supplemental funding for basic field programs, and related administration, for service areas (including a merged or reconfigured service area) that will receive less funding under the Legal Services Corporation Act for fiscal year 2003 than the area received for fiscal year 2002, due to use of data from the 2000 Census, and of which $310,048,000 is for basic field programs and required independent audits; $2,600,000 is for the Office of Inspector General, of which

such amounts as may be necessary may be used to conduct additional audits of recipients; $13,300,000 is for management and administration; and $3,400,000 is for client self-help and information technology.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2002 and 2003, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the $9,500,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission, $3,050,000, of which $500,000 shall remain available until September 30, 2004.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, as amended, $2,000,000.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $716,350,000; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of 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 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee) shall be credited to this account as offsetting collections: Provided further, That not to exceed $716,350,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2003 shall be reduced as such offsetting fees are received so as to result in a final total fiscal 2003 appropriation from the general fund estimated at not more than $0.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 105–135, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $314,457,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That $89,000,000 shall be available to fund grants for performance in fiscal year 2003 or fiscal year 2004 as authorized.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $12,422,000.

BUSINESS LOANS PROGRAM ACCOUNT

For the cost of direct loans, $3,726,000, to be available until expended; and for the cost of guaranteed loans, $85,360,000, as authorized by 15 U.S.C. 631 note, of which $45,000,000 shall remain available until September 30, 2004: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2003 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, as amended, shall not exceed $4,500,000,000, as provided under section 20(h)(1)(B)(ii) of the Small Business Act: Provided further, That during fiscal year 2003 commitments for general business loans authorized under section 7(a) of the Small Business Act, as amended, shall not exceed $10,000,000,000 without prior notification of the Committees on Appropriations of the House of Representatives and Senate in accordance with section 605 of this Act: Provided further, That during fiscal year 2003 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, as amended, shall not exceed the levels established by section 20(i)(1)(C) of the Small Business Act.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $129,000,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, as amended, $73,140,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended.

In addition, for administrative expenses to carry out the direct loan program, $118,354,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which $500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which $108,000,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which $9,854,000 is for indirect administrative expenses: Provided, That any amount in excess of $9,854,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

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

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572; 106 Stat. 4515–4516), $3,000,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

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 for obligation beyond the current fiscal year unless expressly so provided herein.

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

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under 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 collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds which: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes offices, programs, or activities; or (6) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

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

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

SEC. 607. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is 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) 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 a 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 affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 609. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds: (1) that the United Nations undertaking is a peacekeeping mission; (2) that such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) that the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 610. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2003.

SEC. 611. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

SEC. 612. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 613. Of the funds appropriated in this Act under the heading ''Office of Justice Programs—State and Local Law Enforcement Assistance'', not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 614. Hereafter, none of the funds provided by this Act shall be available to promote 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.

SEC. 615. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999, as amended.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2003.

SEC. 616. None of the funds appropriated pursuant to this Act or any other provision of law may be used for: (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); and (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm.

SEC. 617. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $600,000,000 shall not be available for obligation until the following fiscal year, with the exception of emergency appropriations made available by Public Law 107–38 and transferred to the Fund.

SEC. 618. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 619. None of the funds appropriated or otherwise made available to the Department of State and the Department of Justice shall be available for the purpose of granting either immigrant or nonimmigrant visas, or both, consistent with the Secretary's determination under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Attorney General has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section: Provided, That the Attorney General shall notify the Secretary of State in every instance when a foreign country denies or unreasonably delays accepting an alien who is a citizen, subject, national, or resident of that country after the Attorney General asks whether the Government will accept the alien under section 243 of the Immigration and Nationality Act.

SEC. 620. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 621. (a) Hereafter, none of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 622. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 623. Of the funds appropriated in this Act for the Departments of Commerce, Justice, and State, the Judiciary, and the Small Business Administration, $100,000 shall be available to each Department or agency only to implement telecommuting programs: Provided, That, six months after the date of enactment of this Act and every six months thereafter, each Department or agency shall provide a report to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: Provided further, That each Department or agency shall designate a ''Telework Coordinator'' to be responsible for overseeing the implementation of telecommuting programs and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 624. The paragraph under the heading ''Small Business Administration—Business Loans Program Account'' in chapter 2 of division B of Public Law 107–117 (115 Stat. 2297) is amended by inserting ''or section 7(a) of the Small Business Act (15 U.S.C. 636(a))'' after ''September 11, 2001''.

SEC. 625. For additional amounts under the heading ''Small Business Administration, Salaries and Expenses'', $2,000,000 shall be available for a grant to the Innovation and Commercialization Center; $2,000,000 shall be available for the Mississippi State University MAF/TIGER database project; $1,000,000 shall be for the Black Hills Rural Tourism Marketing Program; $1,500,000 shall be for the Center for Tourism Research; $3,125,000 shall be for the National Inventor's Hall of Fame; $3,175,000 shall be for the Boston Museum of Science; $2,000,000 shall be for 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 Providence, Rhode Island Center for Women and Enterprise; $500,000 shall be for the Ogontz Revitalization Corporation; $500,000 shall be for the Idaho Virtual Incubator, Phase III; $1,600,000 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; $700,000 shall be for the Carvers Bay Library; $1,000,000 shall be for technical upgrades for the Northwest Center for Engineering, Science, and Technology; $200,000 shall be for the Southern New Mexico High Technology Consortium; $1,000,000 shall be for the American Museum of Natural History; $200,000 shall be for the Program for International Education and Training; $2,000,000 shall be available for a grant to the St. Louis Enterprise Center in St. Louis County, Missouri to expand programs, operations and facilities to assist in business incubation; $400,000 shall be available for a grant for the Promesa Enterprises to provide back office

services and infrastructure support to community-based organizations in the Bronx, New York; $700,000 shall be available for a grant to the New York City Department of Parks, working in conjunction with Youth Ministries for Peace and Justice, for developing a facility in New York City's Starlight Park; $300,000 shall be available for a grant to the Urban Justice Center to provide legal assistance to groups engaged in community development in low-income neighborhoods; $650,000 shall be available for a grant to CAP Services of Stevens Point, Wisconsin to purchase and renovate property; $200,000 shall be available for a grant for the Promesa Foundation in South Bronx, New York to provide community growth funding; $400,000 shall be available for a grant to the Lower East Side Girls Club of New York to provide for facility development; $1,100,000 shall be available for a grant to J.F. Drake State Technical College in Huntsville, Alabama to construct and equip a media center in support of local business needs; $1,100,000 shall be available for a grant to the City of Los Angeles, California to develop a facility to support downtown business development; $1,100,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; $700,000 shall be available for a grant to Lord Fairfax Community College for workforce development programs; $700,000 shall be available for a grant to the Village of Edgar, Wisconsin to purchase and redevelop property as a small business park to support local agriculture; $500,000 shall be available for a grant to the West Virginia High Technology Consortium to develop a small business commercialization grant program; $250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to develop small business technology centers; $250,000 shall be available for a grant to the Economic Growth Connection of Westmoreland to establish a Paperless Procurement grant program; $350,000 shall be available for a grant to the Fayette County, Pennsylvania Community Action Agency for the Republic Incubator Project; $1,000,000 shall be available for a grant to the Shenandoah Valley Discovery Museum to establish a new facility; $500,000 shall be available for a grant to the University of Tennessee at Chattanooga for the Riverbend Technology Institute for the technology incubator project; $500,000 shall be available for a grant to the California State University, San Bernardino for development of the Center for the Commercialization of Advanced Technology; $1,000,000 shall be available for a grant to the Rhode Island School of Design for the modernization of a building to establish a small business incubator; $500,000 shall be available for a grant to the University of Scranton to establish an Electronic Business Technology Center; $500,000 shall be available for a grant to Experience Works!, Incorporated for small business program activities; $500,000 shall be available for a grant to Wilberforce University to improve technology systems; $500,000 shall be available for a grant to Millikin University for facilities development for the Business and Technology Center; $500,000 shall be available for a grant to the Michael J. Quill Irish Cultural and Sports Center for facilities development; $2,600,000 shall be available for a grant to Iowa State University for the development of a research park biologics facility; $1,000,000 shall be available for a grant to the Southern Kentucky Tourism Development Association for continuation of a regional tourism promotion initiative; $450,000 shall be available for a grant to the Bronx Council on the Arts to help promote stabilization of small arts organizations; $500,000 shall be available for a grant to Southern Kentucky Rehabilitation Industries for internal development; $250,000 shall be available for a grant to Johnstown Area Regional Industries in Pennsylvania to continue the workforce development training program; $500,000 shall be available for a grant to the City of Monticello, Kentucky for commercial revitalization activities; $1,500,000 shall be available for a grant to Shenandoah University to develop a historical and tourism development facility; $500,000 shall be available for a grant to the City of Merrill, Wisconsin to purchase and redevelop industrial property to support economic growth; $2,500,000 shall be available for a grant to the Virginia Community College System (VCCS) for improvement of distance learning programs; $750,000 shall be available for a grant to Soundview Community in Action for a technology access and business improvement project; $100,000 shall be available for a grant to the Gospel Rescue Ministries for facilities renovation; $450,000 shall be available for a grant to the Pregones Theater in the South Bronx, New York for construction improvements; $100,000 shall be available for a grant to the Atoka Preservation Society for facility restoration activities; $500,000 shall be available for a grant to the Virginia Science Museum for marine science and other environmental program activities at Belmont Bay; $500,000 shall be available for a grant to the Infotonics Center of Excellence for small business incubation activities; $500,000 shall be available for a grant to the Chicago Field Museum to renovate and develop a facility; $500,000 shall be available for a grant to the Cedarbridge Development Urban Renewal Corporation for office complex development activities; and $500,000 shall be available for a grant to the City of Belvidere, Illinois to establish a Small Business Agriculture-Technology Incubator and New Use Economy Information Center: Provided, That Section 629 of Public Law 107–77 is amended with respect to a grant of: (1) $500,000 to Johnstown Area Regional Industries for the High Technology Initiative and Wireless/Digital Technology Program by deleting the word ''for'' after ''Industries'' and inserting the words ''to provide technical and financial assistance under a High Technology Initiative and Wireless Digital Technology Program.''; (2) $2,000,000 to the Los Angeles Conservancy by adding the phrase '', including the use of subgrants and other forms of financial assistance'' after ''rebuilding and revitalization.''; (3) $500,000 for a grant to Yonkers, New York by deleting ''Yonkers, New York'' and inserting ''the Yonkers Industrial Development Agency''; and (4) $450,000 to the Southern Kentucky Rehabilitation Industries by deleting the words ''financial assistance and small business development'' after ''for'' and inserting ''technology upgrades'': Provided further, That, any grant made by the Small Business Administration to the MountainMade Foundation during fiscal year 2002 or to the NTTC at Wheeling Jesuit University during fiscal years 1998 through 2002 may be used by such entity to promote small businesses and artisans, and their products, through market development, advertisement, commercial sale, and other promotional means: Provided further, That the preceding proviso shall apply to promotional activities occurring on or after October 1, 1997.

SEC. 626. Any amounts previously appropriated for the Port of Anchorage for an intermodal marine facility and access thereto shall be transferred to and administered by the Administrator for the Maritime Administration including non-federal contributions. Such amounts shall be subject only to conditions and requirements required by the Maritime Administration.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $78,000,000 are rescinded.

LEGAL ACTIVITIES

ASSET FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $50,874,000 are rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the unobligated balances available under this heading, $580,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COASTAL IMPACT ASSISTANCE

(RESCISSION)

Of the unobligated balances available under this heading, $7,000,000 are rescinded.

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, $920,000 are rescinded.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $5,700,000 are rescinded.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, $13,750,000 are rescinded.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading from prior year appropriations, $10,500,000 are rescinded.

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

DIVISION C—DISTRICT OF COLUMBIA APPROPRIATIONS, 2003

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District 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 District of Columbia and related agencies for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $17,000,000, to remain available until expended: Provided, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: Provided further, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: Provided further, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support

Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: Provided further, That the account shall be under the control of the District of Columbia Chief Financial Officer who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: Provided further, That the Resident Tuition Support Program Office and the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: Provided further, That not more than seven percent of the total amount appropriated for this program may be used for administrative expenses.

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

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $15,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of public safety expenses related to security events in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: Provided, That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted by the President to Congress and such amount has been apportioned pursuant to chapter 15 of title 31, United States Code: Provided further, That the Office of Management and Budget shall, in consultation with the United States Park Police, the National Park Service, the Secret Service, the Federal Bureau of Investigation, the United States Protective Service, the Department of State, and the General Services Administration, review the National Capital Planning Commission study on ''Designing for Security in the Nation's Capital'' and report to the Committees on Appropriations of the House of Representatives and Senate on the steps these agencies will take to improve the appearance of security measures in the District of Columbia in accordance with the National Capital Planning Commission recommendations: Provided further, That the report shall be submitted no later than April 11, 2003 and shall include the recommendations of each agency.

FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM PREPAREDNESS IN THE DISTRICT OF COLUMBIA

For a Federal payment to support hospital bioterrorism preparedness in the District of Columbia, $10,000,000, of which $5,000,000 shall be for the Children's National Medical Center in the District of Columbia for the expansion of quarantine facilities and the establishment of a decontamination facility, and $5,000,000 shall be for the Washington Hospital Center for construction of containment facilities.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $161,943,000, to be allocated as follows: for the District of Columbia Court of Appeals, $8,551,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $81,339,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $40,402,000, of which not to exceed $1,500 is for official reception and representation expenses; and $31,651,000 for capital improvements for District of Columbia courthouse facilities: Provided, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: Provided further, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: Provided further, That funds made available for capital improvements may remain available until September 30, 2004: Provided further, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under such heading: Provided further, That notwithstanding section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, the use of interest earned on the Federal payment made to the District of Columbia Courts under the District of Columbia Appropriations Act, 1998, by the Courts during fiscal year 1998 shall not constitute a violation of such Act or such subchapter.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and/or such other services as are necessary to improve the quality of guardian ad litem representation, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $17,100,000, to remain available until expended: Provided, That $1,500,000 of this appropriation is to provide guardians ad litem to abused and neglected children: Provided further, That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $31,651,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: Provided further, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia shall use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $31,651,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: Provided further, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: Provided further, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), said services to include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

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 and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $154,707,000, of which not to exceed $2,000 is for official receptions related to offender and defendant support programs; $95,682,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; $23,070,000 shall be transferred to the Public Defender Service; and $35,955,000 shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, That notwithstanding chapter 33 of title 40, United States Code, the Director may acquire by purchase, lease, condemnation, or donation, and renovate as necessary, Building Number 17, 1900 Massachusetts Avenue, Southeast, Washington, District of Columbia to house or supervise offenders and defendants, with funds made available for this purpose in Public Law 107–96: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services 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 proviso, and shall make such records available for audit and public inspection.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

For a Federal payment to the District of Columbia Department of Transportation, $1,000,000: Provided, That such funds will 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 CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, $40,300,000: Provided, That these funds shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided further, That each entity that receives funding under this heading shall submit to the Committees on Appropriations of the House of Representatives and Senate a report due April 30, 2003, on the activities carried out with such funds.

FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

For a Federal payment to the District of Columbia Department of Housing and Community

Development, $2,800,000 to continue improvements on the historic Potomac Southwest Waterfront: Provided, That the Department shall submit to the Committees on Appropriations of the House of Representatives and Senate a report due April 30, 2003, on the activities carried out with such funds.

FEDERAL PAYMENT FOR ASBESTOS REMEDIATION

For a Federal payment to the General Services Administration (GSA), $1,000,000 to reimburse Fairfax County, Virginia for the remediation of asbestos on the former site of the Lorton Correctional Complex: Provided, That GSA shall submit to the Committees on Appropriations of the House of Representatives and Senate a report due April 30, 2003, on the activities carried out with such funds.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

For a Federal payment to the District of Columbia Fire and Emergency Medical Services Department, $2,000,000 to repair, renovate, and rehabilitate fire stations in need of capital improvements: Provided, That the Department shall submit to the Committees on Appropriations of the House of Representatives and Senate a report due April 30, 2003, on the activities carried out with such funds.

FEDERAL PAYMENT FOR SPECIAL EDUCATION

For a Federal payment to the District of Columbia Public Education System, $3,000,000, to remain available until expended to establish special education satellite facilities in the District of Columbia.

FEDERAL PAYMENT FOR THE FAMILY LITERACY PROGRAM

For a Federal payment to the District of Columbia, $4,000,000 for the Family Literacy Program to address the needs of literacy-challenged parents while endowing their children with an appreciation for literacy and strengthening familial ties.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $50,000,000, to remain available until expended, to begin implementing the Combined Sewer Overflow Long-Term Plan: Provided, That the District of Columbia Water and Sewer Authority provides a 100 percent match for the fiscal year 2003 Federal contribution.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for implementation of the Anacostia Waterfront Initiative, $5,000,000, to remain available until expended, for environmental and infrastructure costs related to development of parks and recreation facilities on the Anacostia River.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR CAPITAL DEVELOPMENT

For a Federal payment to the District of Columbia for capital development, $10,150,000, to remain available until expended, of which $150,000 shall be for renovations at Eastern Market and $10,000,000 shall be for the Unified Communications Center.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR PUBLIC CHARTER SCHOOL FACILITIES

For a Federal payment to the District of Columbia for public charter school facilities, $17,000,000, to remain available until expended, of which $4,000,000 shall be used to supplement the per pupil facilities allocation to public charter schools in fiscal year 2003; $5,000,000 shall be for the direct loan fund for charter school improvement; and $8,000,000 shall be for the credit enhancement revolving fund.

TITLE II—DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: Provided, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act and section 119 of this Act (D.C. Official Code, sec. 1–204.50a), the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2003 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $6,294,522,000 (of which $3,618,411,000 shall be from local funds, $1,712,498,000 shall be from Federal funds, and $873,313,000 shall be from other funds): Provided further, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: Provided further, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: Provided further, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2003, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GOVERNMENTAL DIRECTION AND SUPPORT

Governmental direction and support, $307,173,000 (including $207,971,000 from local funds, $80,854,000 from Federal funds, and $18,348,000 from other funds): Provided, That not to exceed $2,500 for the Mayor, $2,500 for the Chairman of the Council of the District of Columbia, $2,500 for the City Administrator, and $2,500 for the Office of the Chief Financial Officer shall be available from this appropriation for official purposes: Provided further, That any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia: Provided further, That no revenues from Federal sources shall be used to support the operations or activities of the Statehood Commission and Statehood Compact Commission: Provided further, That the District of Columbia shall identify the sources of funding for Admission to Statehood from its own locally generated revenues: Provided further, That notwithstanding any other provision of law, or Mayor's Order 86–45, issued March 18, 1986, the Office of the Chief Technology Officer's delegated small purchase authority shall be $500,000: Provided further, That the District of Columbia government may not require the Office of the Chief Technology Officer to submit to any other procurement review process, or to obtain the approval of or be restricted in any manner by any official or employee of the District of Columbia government, for purchases that do not exceed $500,000: Provided further, That not to exceed $500,000 of the funds in the District of Columbia Antitrust Fund established pursuant to section 2 of the District of Columbia Antitrust Act of 1980 (D.C. Law 3–169; D.C. Official Code, sec. 28–4516), not to exceed $100,000 of the funds in the Antifraud Fund established pursuant to section 820 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–308.20), and not to exceed $910,000 of the funds in the District of Columbia Consumer Protection Fund established pursuant to section 1402 of the District of Columbia Budget Support Act for fiscal year 2001 (D.C. Law 13–172; D.C. Official Code, sec. 28–3911) are hereby made available for the use of the Office of the Corporation Counsel of the District of Columbia until September 30, 2004, in accordance with the laws establishing these funds.

ECONOMIC DEVELOPMENT AND REGULATION

Economic development and regulation, $244,358,000 (including $56,872,000 from local funds, $97,796,000 from Federal funds, and $89,690,000 from other funds), of which $15,000,000 collected by the District of Columbia in the form of BID tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996 (D.C. Law 11–134; D.C. Official Code, sec. 2–1215.01 et seq.), and the Business Improvement Districts Amendment Act of 1997 (D.C. Law 12–26; D.C. Official Code, sec. 2–1215.15 et seq.): Provided, That such funds are available for acquiring services provided by the General Services Administration: Provided further, That Business Improvement Districts shall be exempt from taxes levied by the District of Columbia: Provided further, That $725,000, of which no amount may be expended for administrative expenses, shall be available to the Department of Employment 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, $622,531,000 (including $602,678,000 from local funds, $11,329,000 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 of Police for the prevention and detection of crime: Provided further, That not less than $170,000 shall be for the Corrections Information Council, established by section 11201(g) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (D.C. Official Code, sec. 24–101(h)), to support its operations and perform its duties: Provided further, That not less than $169,000 shall be for the Criminal Justice Coordinating Council, established by the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 (D.C. Law 14–28; D.C. Official Code, sec. 22–4231 et seq.), to support its operations and perform its duties: Provided further, That the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard: Provided further, That such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this appropriation, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved.

PUBLIC EDUCATION SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

Public education system, including the development of national defense education programs, $1,206,169,000 (including $939,174,000 from local funds, $208,470,000 from Federal funds, $31,525,000 from other funds, and not to exceed $27,000,000 from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Act 14–403)), $17,000,000 from local funds, previously appropriated in this Act as a Federal payment, and such sums as may be derived from interest earned on funds contained in the dedicated account established by the Chief Financial Officer of the District of Columbia, for resident tuition support at public and private institutions of

higher learning for eligible District of Columbia residents, to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—$902,936,000 (including $713,494,000 from local funds, $150,800,000 from Federal funds, $11,642,000 from other funds, and not to exceed $27,000,000 from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Act 14–403) shall be available for District of Columbia Public Schools: Provided, That notwithstanding any other provision of law, rule, or regulation, the evaluation process and instruments for evaluating District of Columbia Public School employees shall be a non-negotiable item for collective bargaining purposes: Provided further, That this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary and secondary school during fiscal year 2003 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 percent of the costs incurred by the District of Columbia which are attributable to the education of the nonresident (as established by the Superintendent of the District of Columbia Public Schools): Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2003, an amount equal to 10 percent of the total amount provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2004 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2004: Provided further, That not to exceed $2,500 for the Superintendent of Schools shall be available from this appropriation for official purposes.

(2) STATE EDUCATION OFFICE.—$49,687,000 (including $22,594,000 from local funds, $26,917,000 from Federal funds, and $176,000 from other funds), shall be available for the State Education Office: Provided, That of the amounts provided to the State Education Office, $500,000 from local funds shall remain available until June 30, 2004 for an audit of the student enrollment of each District of Columbia Public School and of each District of Columbia public charter school.

(3) DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS.—$142,711,000 (including $125,711,000 from local funds and $17,000,000 from Federal funds) shall be available for District of Columbia public charter schools: Provided, That there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year: Provided further, That if the entirety of this allocation has not been provided as payments to any public charter school currently in operation through the per pupil funding formula, the funds shall be available for public education in accordance with section 2403(b)(2) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(2)): Provided further, That of the amounts made available to District of Columbia public charter schools, $25,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(5) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)(6)): Provided further, That $589,000 of this amount shall be available to the District of Columbia Public Charter School Board for administrative costs: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2003, an amount equal to 25 percent of the total amount provided for payments to public charter schools in the proposed budget of the District of Columbia for fiscal year 2004 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2004.

(4) UNIVERSITY OF THE DISTRICT OF COLUMBIA.—$81,180,000 (including $49,462,000 from local funds, $12,668,000 from Federal funds, and $19,050,000 from other funds) shall be available for the University of the District of Columbia: Provided, That this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2003, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area: Provided further, That notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2003, an amount equal to 10 percent of the total amount provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2004 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2004: Provided further, That not to exceed $2,500 for the President of the University of the District of Columbia shall be available from this appropriation for official purposes.

(5) DISTRICT OF COLUMBIA PUBLIC LIBRARIES.—$27,363,000 (including $26,216,000 from local funds, $610,000 from Federal funds, and $537,000 from other funds) shall be available for the District of Columbia Public Libraries: Provided, That not to exceed $2,000 for the Public Librarian shall be available from this appropriation for official purposes.

(6) COMMISSION ON THE ARTS AND HUMANITIES.—$2,292,000 (including $1,697,000 from local funds, $475,000 from Federal funds, and $120,000 from other funds) shall be available for the Commission on the Arts and Humanities.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

Human support services, $2,451,818,000 (including $1,002,284,000 from local funds, $1,373,680,000 from Federal funds, $52,987,000 from other funds, and $22,867,000 from the Medicaid and Special Education Reform Fund established pursuant to the Medicaid and Special Education Reform Fund Establishment Act of 2002 (D.C. Act 14–403)): Provided, That the funds available from the Medicaid and Special Education Reform Fund are allocated as follows: $7,072,000 for Child and Family Services, $5,795,000 for the Department of Human Services, and $10,000,000 for the Department of Mental Health: Provided further, That $27,959,000 of this appropriation, to remain available until expended, shall be available solely for District of Columbia employees' disability compensation: Provided further, That $7,000,000 of this appropriation, 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 (D.C. Law 13–146; 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 13–146; D.C. Official Code, sec. 7–3003): Provided further, That no less than $2,000,000 of this appropriation shall be available exclusively for the purpose of funding the pilot substance abuse program for youth ages 16 through 21 years established pursuant to section 4212 of the Pilot Substance Abuse Program for Youth Act of 2001 (D.C. Law 14–28; D.C. Official Code, sec. 7–3101): Provided further, That $3,209,000 of this appropriation, to remain available until expended, shall be deposited in the Interim Disability Assistance Fund established pursuant to section 201 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 4–101; D.C. Official Code, sec. 4–202.01), to be used exclusively for the Interim Disability Assistance program and the purposes for that program set forth in section 407 of the District of Columbia Public Assistance Act of 1982 (D.C. Law 13–252; D.C. Official Code, sec. 4–204.07): Provided further, That no less than $500,000 of this appropriation shall be available exclusively for the Mobile Crisis Intervention Program for Kids: Provided further, That the amount available under this heading in Public Law 107–96 for Interim Disability Assistance shall remain available until expended: Provided further, That $37,500,000 in local funds, to remain available until expended, shall be deposited in the Medicaid and Special Education Reform Fund.

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, $320,357,000 (including $304,363,000 from local funds, $5,669,000 from Federal funds, and $10,325,000 from other funds): Provided, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business.

RESERVE

For replacement of funds expended, if any, during fiscal year 2002 from the budget reserve established pursuant to section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Official Code, sec. 47–392.02(j)), $70,000,000 from local funds.

EMERGENCY AND CONTINGENCY RESERVE FUNDS

For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a), such amounts from local funds as are necessary to meet the fiscal year 2003 minimum balance requirements for such funds under such section.

REPAYMENT OF LOANS AND INTEREST

For payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act (D.C. Official Code, secs. 1–204.62, 1–204.75, and 1–204.90), $260,951,000 from local funds: Provided, That for equipment leases, the Mayor may finance $14,300,000 of equipment cost, plus cost of issuance not to exceed two percent of the par amount being financed on a lease purchase basis with a maturity not to exceed five years.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

For the purpose of eliminating the $331,589,000 general fund accumulated deficit as of September 30, 1990, $39,300,000 from local funds, as authorized by section 461(a) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.61(a)).

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

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

CERTIFICATES OF PARTICIPATION

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

SETTLEMENTS AND JUDGMENTS

For making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government, $22,822,000: Provided, That this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act.

WILSON BUILDING

For expenses associated with the John A. Wilson Building, $4,194,000 from local funds.

WORKFORCE INVESTMENTS

For workforce investments, $48,186,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable.

NON-DEPARTMENTAL AGENCY

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

EMERGENCY PLANNING AND SECURITY COSTS

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $15,000,000, from funds previously appropriated in this Act as a Federal payment, to remain available until expended, to reimburse the District of Columbia for the costs of public safety expenses related to security events in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: Provided, That any amount provided under this heading shall be available only after notice of its proposed use has been transmitted by the President to Congress and such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

For operation of the Water and Sewer Authority, $253,743,000 from other funds, of which $43,800,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects ($18,094,000 payable to the District's debt service fund and $25,706,000 payable for other debt service).

For construction projects, $392,458,000, to be distributed as follows: $213,669,000 for the Blue Plains Wastewater Treatment Plant, $24,539,000 for the sewer program, $56,561,000 for the combined sewer program, $50,000,000 Federal payment for the Combined Sewer Overflow Long-Term Plan, $5,635,000 for the stormwater program, $34,054,000 for the water program, and $8,000,000 for the capital equipment program: Provided, That the requirements and restrictions that are applicable to general fund capital improvement 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, 1982, for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia (D.C. Law 3–172; D.C. Official Code, sec. 3–1301 et seq. and sec. 22–1716 et seq.), $232,881,000: 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 Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board.

SPORTS AND ENTERTAINMENT COMMISSION

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

DISTRICT OF COLUMBIA RETIREMENT BOARD

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

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

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

NATIONAL CAPITAL REVITALIZATION CORPORATION

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

CAPITAL OUTLAY

(INCLUDING RESCISSIONS)

For construction projects, an increase of $925,011,000, of which $555,097,000 shall be from local funds, $48,132,000 from Highway Trust funds, and $321,782,000 from Federal funds, and a rescission of $253,991,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $671,020,000, 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 procedures and limitations established under the Financial Management System: Provided further, That all funds provided by this appropriation title shall be available only for the specific projects and purposes intended: 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.

TITLE III—GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such 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 Chairman of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or 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 11(c)(3) of title XII of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Official Code, sec. 47–1812.11(c)(3)).

SEC. 104. 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. 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, facilitate, or further partisan political activities. Nothing herein is intended to prohibit the availability of school buildings for the use of any community or partisan political group during non-school hours.

SEC. 106. None of the funds appropriated in this Act shall be 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 Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Council of the District of Columbia, or their duly authorized representative.

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

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

(1) the promotion or support of any boycott; or

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

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 108. At the start of fiscal year 2003 and any subsequent 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 the Committees on Appropriations of the House of Representatives and Senate the actual borrowings and spending progress compared with projections.

SEC. 109. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure 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 increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $1,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center;

unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the reprogramming.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 30 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed four percent of the local funds in the appropriation.

SEC. 110. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 111. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (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.

SEC. 112. No later than 30 days after the end of the first quarter of fiscal year 2003, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2003 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 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. Official Code, sec. 2–303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and 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 after the amounts appropriated to the District of Columbia for the fiscal year involved have been paid to the District of Columbia, the Mayor of the District of Columbia shall pay to the Secretary of the Treasury, within 15 days after receipt of a request therefor from the Secretary of the Treasury, such amounts as are sequestered by the order: Provided, That the sequestration percentage specified in 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, the term ''program, project, and activity'' shall be synonymous with and refer specifically to each account appropriating Federal funds in this Act, and any sequestration order shall be 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)(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 its authorized functions or duties.

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

(b) Each entity of the District of Columbia government shall keep accurate and detailed records of the acceptance and use of any gift or donation under subsection (a), and shall make such records available for audit and public inspection.

(c) For the purposes of this section, the term ''entity of the District of Columbia government'' includes an independent agency of the District of Columbia.

(d) 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 to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 117. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 118. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 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 of the District of Columbia 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 the report submitted under paragraph (1) has reviewed and approved the acceptance, obligation, and expenditure of such grant.

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) 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 Council of the District of Columbia and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

SEC. 120. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2003 an inventory, as of September 30, 2002, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 121. No officer or employee of the District of Columbia government (including any independent agency of the District of Columbia, but excluding the Office of the Chief Technology Officer, the Office of the Chief Financial Officer of the District of Columbia, and the Metropolitan Police Department) may enter into an agreement in excess of $2,500 for the procurement of goods or services on behalf of any entity of the District government until the officer or employee has conducted an analysis of how the procurement of the goods and services involved under the applicable regulations and procedures of the District government would differ from the procurement of the goods and services involved under the Federal supply schedule and other applicable regulations and procedures of the General Services Administration, including an analysis of any differences in the costs to be incurred and the time required to obtain the goods or services.

SEC. 122. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2003 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the 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 law making the appropriations for the year and its legislative history.

SEC. 123. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which

seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 124. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

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

SEC. 125. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted. The Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by the 10th day after the end of each quarter a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 126. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

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

SEC. 127. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 128. (a) If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

(b) A payment described in this subsection is—

(1) a payment authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act);

(2) a payment for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code; or

(3) a payment for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

(c) The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

(d) Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

(e) This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2003 and any subsequent fiscal year.

SEC. 129. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing the following issues—

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

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

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

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

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 130. No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2003 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

SEC. 131. None of the funds contained in this Act may be used to issue, administer, or enforce any order by the District of Columbia Commission on Human Rights relating to docket numbers 93–030–(PA) and 93–031–(PA).

SEC. 132. None of the Federal funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 133. In addition to any other authority to pay claims and judgments, any department, agency, or instrumentality of the District government may pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000, in accordance with the Risk Management for Settlements and Judgments Amendment Act of 2000 (D.C. Law 13–172; D.C. Official Code, sec. 2–402).

SEC. 134. All funds from the Crime Victims Compensation Fund, established pursuant to section 16 of the Victims of Violent Crime Compensation Act of 1996 (D.C. Law 11–243; D.C. Official Code, sec. 4–514) (''Compensation Act''), that are designated for outreach activities pursuant to section 16(d)(2) of the Compensation Act shall be deposited in the Crime Victims Assistance Fund, established pursuant to section 16a of the Compensation Act, for the purpose of outreach activities, and shall remain available until expended.

SEC. 135. Notwithstanding any other law, the District of Columbia Courts shall transfer to the general treasury of the District of Columbia all fines levied and collected by the Courts in cases charging Driving Under the Influence and Driving While Impaired. The transferred funds shall remain available until expended and shall be used by the Office of the Corporation Counsel for enforcement and prosecution of District traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Control Act (D.C. Official Code, sec. 50–2201.05(b)(3)).

SEC. 136. Section 47–363(a–1) of the District of Columbia Official Code is amended by adding at the end the following new paragraph:

''(3)(A) After the adoption of the annual budget for a fiscal year that is not a control year, no reprogramming of amounts in the budget may occur unless—

''(i) the Mayor submits a request for such reprogramming to the Council and the Chief Financial Officer of the District of Columbia;

''(ii) the Chief Financial Officer transmits to the Council a statement certifying the availability of funds for the reprogramming and containing an analysis of the effect of the reprogramming on the financial plan and budget for the fiscal year; and

''(iii) the Council approves the request after receiving the statement described in clause (ii), but only if any additional expenditures provided under the request are offset by reductions in expenditures for another activity.

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

''(C) In this paragraph, the term 'control year' has the meaning given such term in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (D.C. Official Code, sec. 47–393(4)).''.

SEC. 137. From the local funds appropriated under this Act, any agency of the District government may transfer to the Office of Labor Relations and Collective Bargaining (OLRCB) such amounts as may be necessary to pay for representation by OLRCB in third-party cases, grievances, and dispute resolution, pursuant to an intra-District agreement with OLRCB. These amounts shall be available for use by OLRCB to reimburse the cost of providing the representation.

SEC. 138. (a) Section 9001(1) of Title 5, United States Code, is amended by adding before the period ''(other than an employee of the District of Columbia Courts)''.

(b) Section 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. 139. Of the amount appropriated as a Federal payment to the District of Columbia Courts in the District of Columbia Appropriations Act, 2002, that remain available through September 30, 2003, $560,000 are hereby transferred to the District of Columbia Child and Family Services Agency for child abuse services.

SEC. 140. No later than June 2, 2003, the Comptroller General shall prepare and submit to the Committees on Appropriations of the House of Representatives and Senate, 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. 141. 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 occupants, and the renovations 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 House of Representatives and Senate the findings of such assessment along with a plan for occupying at least 50 percent of the space available at the time such report 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. 142. The Mayor of the District of Columbia, in administering funds provided under the heading ''Federal Payment for Incentives for Adoption of Children'' in Public Law 106–113, as modified by Public Law 107–96, 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 50 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 parents about the scholarship fund established 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; (iv) 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 25 percent of the funds provided in Public Law 106–113 for adoption incentives and support for children with special needs: Provided, That the Mayor of the District of Columbia and the Chairman of the Council 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 House of Representatives and Senate, detailing the expenditure of funds provided for the promotion of adoption and performance in actually promoting adoption; and (v) the Mayor and Child and Family Services Agency of the District of Columbia shall increase the number of waiting children listed in the Child and Family Services Agency of the District of Columbia adoption photo-listing by 75 percent.

SEC. 143. (a)(1) 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.

(2) The Office shall have the following three functions:

(A) To administer the credit enhancement fund for public charter schools under section 603(e) of the Student Loan Marketing Association Reorganization Act of 1996, subject to the provisions of such section.

(B) To administer the Direct Loan Fund for Charter School Improvement under subsection (b), subject to the provisions of such subsection.

(C) 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.

(3) The functions described in paragraph (2) may be provided by the Office directly or under contract with a qualified provider.

(b)(1) There is established within the District of Columbia a Direct Loan Fund for Charter School Improvement.

(2) The Direct Loan Fund for Charter School Improvement shall be administered by the Office of Charter School Financing and Support, except that no loan may be made under this subsection without the approval of the committee described in section 603(e)(3)(C)(iii) of the Student Loan Marketing Association Reorganization Act of 1996 (20 U.S.C. 1155(e)(3)(C)(iii)).

(3) Funds distributed under this subsection shall be for construction, purchase, renovation, and maintenance of charter school facilities.

(4) Loans distributed under this subsection shall not exceed $2,000,000 per charter school.

(5) The Office of Charter School Financing and Support shall determine what interest rates and terms apply to loans granted under this subsection. In determining the rates and terms of a loan granted to a charter school, the Office of Charter School Financing and Support should do its best to provide low interest options and flexible terms.

(6) To be eligible for a loan under this subsection, an applicant shall be a public charter school with a charter in effect pursuant to the District of Columbia School Reform Act of 1995 which meets or exceeds its performance goals as outlined in its originating charter.

(7) In repaying a loan granted under this subsection, a debtor may use facility maintenance funds granted to them by the District of Columbia Public Schools.

(c) Section 603(e)(3) of the Student Loan Marketing Association Reorganization Act of 1996 (20 U.S.C. 1155(e)(3)) is amended—

(1) in subparagraph (B)(ii) and subparagraph (C)(iii), by striking ''The Mayor'' and inserting ''Subject to subparagraph (F), the Mayor''; and

(2) by adding at the end the following new subparagraph:

''(F) ROLE OF OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT.—During fiscal year 2003 and each succeeding fiscal year, the Office of Public Charter School Financing and Support shall be responsible for receiving applications, making payments, and otherwise administering this paragraph, except that no grant may be made under this paragraph without the approval of the committee described in subparagraph (C)(iii).''.

SEC. 144. None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

SEC. 145. 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 an administrative proceeding, under the IDEA from the District of Columbia: Provided, That as part of the certification, the Chief Financial Officer of the District of Columbia require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification: Provided further, That the Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA: Provided further, That the Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 146. (a) Section 2403(b) of the District of Columbia School Reform Act of 1995 (sec. 38–1804.03(b), D.C. Official Code) is amended to read as follows:

''(b) PAYMENT TO CHARTER SCHOOLS FROM CHARTER SCHOOL FUND.—

''(1) ESTABLISHMENT OF FUND.—The 'New Charter School Fund', as established in the general fund of the District of Columbia prior to the date of the enactment of the District of Columbia Appropriations Act, 2003, shall be redesignated as the 'Charter School Fund'.

''(2) CONTENTS OF FUND.—The Charter School Fund shall consist of the following amounts:

''(A) Unexpended and unobligated amounts appropriated from local funds for public charter schools for any fiscal year that reverted to the general fund of the District of Columbia, but only to the extent that the balance of the Charter School Fund for the fiscal year involved is less than—

''(i) $10,000,000, in the case of fiscal year 2002; or

''(ii) $5,000,000, in the case of fiscal year 2003 and each succeeding fiscal year.

''(B) Any interest earned on such amounts.

''(3) EXPENDITURES FROM FUND.—Amounts in the Charter School Fund shall be used to make payments during a fiscal year to any public charter school operating in the District of Columbia during the fiscal year whose total audited enrollment (including enrollment in special needs categories) exceeds the student enrollment which served as the basis for determining the school's annual payment under this Act for the year.

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

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

(b) Notwithstanding any other provision of law, $5,000,000 from the Charter School Fund established pursuant to section 2403(b) of the District of Columbia School Reform Act of 1995 (D.C. Official Code, sec. 38–1804.03(b)), as amended by subsection (a), shall be deposited not later than 15 days after the date of the enactment of this Act into the credit enhancement revolving fund established pursuant to section 603(e) of the Student Loan Marketing Association Reorganization Act of 1996 (20 U.S.C. 1155(e)).

This division may be cited as the ''District of Columbia Appropriations Act, 2003''.

DIVISION D—ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 2003

Making appropriations for energy and water development 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, 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, shore protection, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $135,019,000, to remain available until expended: Provided, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to determine the advisability of undertaking restoration, modification, or modernization of the Great Lakes Navigational System, including the St. Lawrence Seaway; as provided for in section 456 of Public Law 106–53 (113 Stat. 332): Provided further, That in making such determination, the Secretary of the Army, acting through the Chief of Engineers, may partner with the St. Lawrence Seaway Development Corporation and Transport Canada or another designated representative of the Government of Canada and may accept from such partners cash, in-kind services, or any combination thereof, to be expended or used by the Secretary in addition to the funds identified herein for the purpose of making such determination.

CONSTRUCTION, GENERAL

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 for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,756,012,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Timoteo Creek (Santa Ana River Mainstem), California, $7,000,000;

Southern and Eastern Kentucky, Kentucky, $3,000,000; and

Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Report dated January 2002, Floyd County, Martin County, and Johnson County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $26,100,000: Provided, That, using $200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue work on the Bois Brule Drainage and Levee District, Missouri, design deficiency project under the terms and conditions specified in Public Law 107–66: Provided further, That using $9,744,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $4,000,000 of the funds appropriated herein to undertake the Bowie County Levee, Texas, project, which is defined as Alternative B, Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That cost sharing for the Bowie County Levee, Texas, project shall be in accordance with the provisions of the Flood Control Act of 1946: Provided further, That the Secretary of the Army is directed to accept advance funds, pursuant to section 11 of the River and Harbor Act of 1925, from the non-Federal sponsor of the Los Angeles Harbor, California, project authorized by section 101(b)(5) of Public Law 106–541, which are needed to maintain the project schedule: Provided further, That using $1,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct, at full Federal expense, technical studies of individual ditch systems identified by the State of Hawaii, and to assist the State in diversification by helping to define the cost of repairing and maintaining selected ditch systems: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $1,000,000 of the funds appropriated herein to continue construction of the navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $2,000,000 of the funds provided herein for Dam Safety and Seepage/Stability Correction Program to continue construction of seepage control features at Waterbury Dam, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $13,400,000 of the funds appropriated herein to proceed with planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $5,500,000 of the funds appropriated herein to proceed with the planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the Section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with the construction of the Seward Harbor, Alaska, project, in accordance with the Report of the Chief of Engineers, dated June 8, 1999, and the economic justification contained therein: Provided further, That the 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 Chief of Engineer's report 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 in Galena, Alaska: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use $5,000,000 of Construction, General funding as provided herein for construction of 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 103 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 benefits and costs, in the project plan documents: Provided further, That the plans for the emergency outlet shall be reviewed and, to be effective, shall contain assurances provided by the Secretary of State, 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 548) (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, 1993 (Public Law 102–377), 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 would permit the transfer of water from the Missouri River Basin into Devils Lake.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $344,574,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, using $10,000,000 of the funds provided herein, is directed to continue

design and real estate activities and to initiate the pump supply contract for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi: Provided further, That the pump supply contract shall be performed by awarding continuing contracts in accordance with 33 U.S.C. §621.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,940,167,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That using $888,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake recreation improvements associated with the pool raise at Waco Lake, Texas: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,160,000 of the funds appropriated herein to undertake work to expand or improve recreational facilities and undertake environmental restoration activities at the Hansen Dam Recreation Area, California, consistent with the Hansen Dam Recreation Area Master Plan: Provided further, That of funds appropriated herein, for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Secretary of the Army, acting through the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between October 1, 2002, and September 30, 2003: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to rehabilitate the existing dredged material disposal site for the project for navigation, Bodega Bay Harbor, California, and to initiate maintenance dredging of the Federal channel: Provided further, That the Secretary shall make suitable material excavated from the site as part of the rehabilitation effort available to the non-Federal sponsor, at no cost to the Federal Government, for use by the non-Federal sponsor in the development of public facilities.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane response, and emergency shore protection and related activities, $15,000,000, to remain available until expended.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $139,000,000, to remain available until expended.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $145,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers, activities of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, and headquarters support functions at the USACE Finance Center, $155,151,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99–662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303; and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 102. None of the funds appropriated in this or any other Act may be used by the U.S. Army Corps of Engineers to support activities, including reconnaissance and feasibility studies, and planning, engineering and design, related to the Chicago Harbor Visitors Center.

SEC. 103. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 104. Section 595(h)(1) of Public Law 106–53 is amended by striking ''$25,000,000'' and inserting in lieu thereof ''$100,000,000''.

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 ''$12,239,000'' and inserting in lieu thereof ''$45,558,000''.

SEC. 106. ABIQUIU 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 is modified to include as a 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 and the costs incurred in performing such work shall be considered part of the non-Federal sponsor's responsibility to provide lands, easements, and rights-of-way, and to perform relocations for the project. Costs incurred in performing such work may not exceed $16,000,000.

SEC. 108. ATLANTIC INTRACOASTAL WATERWAY BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESAPEAKE, VIRGINIA. The project for replacement of the bridge at Great Bridge, Chesapeake, Virginia, authorized by Section 339(h) of Public Law 104–59 is modified to authorize the Secretary to construct the project at an estimated cost of $46,000,000.

SEC. 109. None of the funds appropriated 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 government agencies without specific direction in a subsequent Act of Congress.

SEC. 110. 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 of the Army, acting through the Chief of Engineers, 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. 111. The project for flood control, Little Calumet River Basin (Cady Marsh Ditch), Indiana, authorized by section 401(a) of Public Law 99–662 is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project at a total cost of $23,146,000, with an estimated Federal cost of $17,359,000 and an estimated non-Federal cost of $5,787,000.

SEC. 112. The non-Federal interest shall receive credit toward the non-Federal share of the cost of the feasibility study for work performed prior to the date that the Secretary of the Army, acting through the Chief of Engineers, enters into the feasibility cost-sharing agreement with the non-Federal sponsor for the Indiana Harbor Environmental Dredging, Indiana, feasibility study. The Secretary shall provide credit for work only if the Secretary determines such work integral to the feasibility study.

SEC. 113. In satisfaction of any normal requirement for mitigation identified by the pending Environmental Impact Study for the deepening of the Brownsville Navigation Channel, Texas, the Secretary of the Army, acting through the Chief of Engineers, shall provide credit to the Brownsville Navigation District for work performed before the completion of the Environmental Impact Study to restore the wetlands at Bahia Grande, Lower Laguna Madre, and Vadia Ancha. Such credit shall be at a ratio determined by the Secretary, considering the environmental value of the wetlands impacted by the project and the environmental value of the restored wetlands. The Secretary shall provide credit for work only if the Secretary determines such work integral to the project.

SEC. 114. The Secretary of the Army, acting through the Chief of Engineers, shall carry out the project for inland navigation, Chickamauga Lock and Dam, Tennessee, substantially in accordance with the plans, and subject to the conditions, described in the report of the Chief of Engineers, dated May 30, 2002, except that the Secretary shall construct the project in accordance with the plan that includes a 110-foot by 600-foot replacement lock at a total cost of $267,167,000. The costs of such construction shall be paid one-half from amounts appropriated from the general fund of the Treasury and one-

half from amounts appropriated from the Inland Waterways Trust Fund.

SEC. 115. The Secretary of the Army, acting through the Chief of Engineers, shall conduct a study for the James River, Greene County, Missouri, project for flood damage reduction, Greene County, Missouri, and, if the Secretary determines that such project is feasible, may carry out the project under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

SEC. 116. Section 101(a)(21), ''Amite River and Tributaries, Louisiana,'' of the Water Resources Development Act of 1999 is amended in subsection (a)(21) by striking ''$112,900,000'' and inserting ''$150,257,000'', and by striking ''$39,500,000'' and inserting ''$52,589,950''.

SEC. 117. None of the funds appropriated in this or any other Act may be used by the U.S. Army Corps of Engineers to support activities related to the proposed Ridge Landfill in Tuscarawas County, Ohio.

SEC. 118. Section 101(a)(19) of the Water Resources Development Act of 1999 is hereby amended to increase the total project cost to $78,879,000 with an estimated Federal cost of $51,271,000 and an estimated non-Federal cost of $27,608,000 in accordance with the Corps of Engineers Post Authorization Change Report, dated January 2003, as amended by the Chief of Engineers.

SEC. 119. The Secretary of the Army, acting through the Chief of Engineers, is authorized to credit toward the non-Federal share of the cost of the Savannah Harbor Expansion, Georgia, project, authorized by section 101(b)(9) of the Water Resources Development Act of 1999, an amount equal to the Federal share of the costs incurred by the non-Federal interests subsequent to project authorization to the extent that the Secretary determines that such costs were necessary to ensure compliance with the conditions of the project authorization.

SEC. 120. The project for aquatic ecosystem restoration, Rose Bay, Volusia County, Florida, being carried out under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), is modified to direct the Secretary of the Army, acting through the Chief of Engineers, to credit toward the non-Federal share of the cost of the project the costs incurred by the Florida Department of Transportation in constructing that portion of the United States Highway 1 bridge that the Secretary determines is required for the proper functioning of the project.

SEC. 121. The Secretary of the Army, acting through the Chief of Engineers, shall modify the shoreline management plan for Lake Cumberland, Kentucky, to allow for construction of a privately owned moorage facility at Woodson Bend Peninsula on the South Fork of the Cumberland River at Lake Cumberland.

SEC. 122. The non-Federal sponsor shall receive credit in an amount not to exceed $10,000,000 toward their share of the cost of Des Moines Recreational River and Greenbelt, Iowa, projects for work performed by the sponsor, or others on behalf of the sponsor, including planning, design, and construction performed after October 1, 2002, provided the Secretary of the Army, acting through the Chief of Engineers, determines that such work is completed in accordance with U.S. Army Corps of Engineers standards and procedures and is integral to the Des Moines Recreational River and Greenbelt project.

SEC. 123. The project for flood damage reduction, Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas, authorized by Section 101(a)(24) of Public Law 106–53, is modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to construct the project substantially in accordance with the plans and subject conditions, recommended in a final report of the Chief of Engineers if a favorable report of the Chief is completed by December 31, 2003, at a total project cost of $73,380,000 with an estimated Federal cost of $45,304,000 and an estimated non-Federal cost of $28,076,000. The non-Federal interest shall receive credit toward the non-Federal share of project costs for construction work performed by the non-Federal interest before execution of the project cooperation agreement if the Secretary finds that the work performed by the non-Federal interest is integral to the project.

SEC. 124. The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to design and construct portions of the Long Lake Environmental Restoration Project, Indiana, that are located on non-Federally owned land in accordance with Section 206 of Public Law 104–303, as amended. Notwithstanding the provisions of Section 206, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to design and construct all the components of the Long Lake, Indiana, environmental restoration project that are located on Federal land at full Federal expense as identified in the Long Lake, Indiana, Reconnaissance Report, dated October 2002, and as further modified by subsequent study. After completion of the project, the Secretary of the Army shall seek reimbursement from the Secretary of the Interior of an amount equal to the costs of the project allocated to benefits to the Indiana Dunes National Lakeshore.

SEC. 125. Section 514 of the Water Resources Development Act of 1999 is amended by striking ''2000 and 2001'' in subsection (g) and inserting ''2003 and 2004''.

SEC. 126. Section 595 of the Water Resources Development Act of 1999 is amended by striking ''Sec. 595. Rural Nevada and Montana.'' and inserting in lieu thereof ''Sec. 595. Rural Nevada, Montana, and Idaho.'' and in (b) strike ''and Montana.'' and insert in lieu thereof '', Montana, and Idaho.'' and in (c) strike ''and Montana,'' and insert in lieu thereof '', Montana, and Idaho,'' and in (h)(1) strike ''and'' and insert after (h)(2) ''and; (3) $25,000,000 for Idaho;''.

SEC. 127. SOUTHERN AND EASTERN KENTUCKY. (a) PROJECT PURPOSES.—Section 531(b) of the Water Resources Development Act of 1996 (110 Stat. 3773) is amended by inserting before ''and resource'' the following: '', environmental restoration,''.

(b) DEFINITION.—Section 531(g) of such Act (110 Stat. 3774) is amended by inserting after ''Lee,'' the following: ''Bath, Rowan,''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 531(h) of such Act (110 Stat. 3774; 113 Stat. 348) is amended by striking ''$25,000,000'' and inserting ''$40,000,000''.

SEC. 128. With respect to the pre-construction engineering and design for the environmental dredging project at Ashtabula River, Ohio, for which funds are made available under this heading, the non-Federal interest shall receive credit toward the non-Federal share of the cost of the pre-construction engineering and design work performed in-kind after the date of execution of the design agreement.

SEC. 129. Section 313(h)(2) of the Water Resources Development Act of 1992 is amended by striking ''Armstrong, Beford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder and Westmoreland Counties'' and inserting ''Allegheny, Armstrong, Beford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Greene, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder, Washington, and Westmoreland Counties''.

Sec. 130. 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) INCLUSIONS.—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, may include repair or replacement, as appropriate, of the foundation and structures adjacent and structurally integral to the project.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $34,902,000, to remain available until expended, of which $11,259,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,326,000, 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 natural 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, $813,491,000, 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 Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $4,600,000 shall be for on-reservation water development, feasibility studies, and related administrative costs under Public Law 106–163; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That $10,000,000 of the funds appropriated herein shall be deposited in the San Gabriel Basin Restoration Fund established by section 110 of division B, title I of Public Law 106–554, as amended: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2002, and 2003'' in lieu of ''and 2002'': Provided further, That the Bureau of Reclamation is authorized hereafter to negotiate and enter into financial assistance agreements with public and private agencies, organizations, and institutions for activities under the Lake Tahoe Regional Wetlands Development Program: Provided further, That the costs associated with such activities will be nonreimbursable.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement,

and acquisition provisions of the Central Valley Project Improvement Act, $48,904,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $54,870,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 16 passenger motor vehicles, of which 12 are for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. In order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, in fiscal year 2003 and thereafter, the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization pursuant to 31 U.S.C. 6301–6308. Nothing in this Act is intended to modify or limit the provisions of the Indian Self Determination Act (25 U.S.C. 45 et seq.).

SEC. 202. (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, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Section 212 of the Energy and Water Development Appropriations Act, 2001 (114 Stat. 1441B–13) is amended as follows:

(1) In subsection (a)(2)—

(A) by inserting ''all real and personal property rights and interests associated with such conduits and canals, all water rights of whatever nature or kind associated therewith, and'' before ''all recreational facilities''; and

(B) by inserting ''and improvements'' after ''recreational facilities''.

(2) In subsection (b)—

(A) by striking ''as soon as practicable after date of enactment of this Act'' and inserting ''by no later than June 30, 2003,''; and

(B) by inserting ''including all real and personal property rights, water rights, and facilities held by or appropriated to the United States'' after ''all right, title, and interest in and to the Sly Park Unit to the District''.

(3) In subsection (c)—

(A) by striking ''The Secretary'' and inserting ''(1) Subject to paragraph (2), the Secretary'';

(B) by inserting ''and subsequent interim renewal contracts associated therewith'' after ''contract number 14–06–200–949IR3''; and

(C) by adding at the end the following:

''(2) The amount the Secretary is authorized to receive under paragraph (1) shall be reduced by an amount equal to any payments received by the United States from the District under the contracts referred to in paragraph (1) in the period beginning on the date of the enactment of this Act and ending on the date of conveyance of the Sly Park Unit under this section.''.

SEC. 204. Section 110(a)(3)(A)(i) of division B of the Miscellaneous Appropriations Act, 2001 (as enacted into law by section 1(a)(4) of Public Law 106–554), is further amended by inserting '', including all expenditures made by the Central Basin Municipal Water District between February 11, 1993, and December 21, 2000'' before the semi-colon.

SEC. 205. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 206. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 207. RESTORATION OF FISH, WILDLIFE, AND ASSOCIATED HABITATS IN WATERSHEDS OF CERTAIN LAKES. (a) IN GENERAL.—In carrying out section 2507 of Public Law 107–171, the Secretary of the Interior, acting through the Commissioner of Reclamation, shall—

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

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

(3) use $2,000,000 to provide grants, to be divided equally, to the State of Nevada, the State of California, the Truckee Meadows Water Authority, and the Pyramid Lake Paiute Tribe, to implement the Truckee River Settlement Act, Public Law 101–618.

(b) ADMINISTRATION.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may provide financial assistance to State and local public agencies, Indian tribes, nonprofit organizations, and individuals to carry out this section and section 2507 of Public Law 107–171.

SEC. 208. The Commissioner of the Bureau of Reclamation is directed to increase the use of the private sector in performing planning, engineering and design work for Bureau of Reclamation projects to 10 percent in fiscal year 2003, and in each subsequent year until the level of work is at least 40 percent for the planning, engineering and design work conducted by the Bureau of Reclamation.

SEC. 209. Using previously appropriated funds, the Bureau of Reclamation is directed to undertake activities related to the development of the North Central Montana Rural Water Supply system. Such sums shall remain available, without fiscal year limitation, until expended.

SEC. 210. Section 8 of Public Law 104–298 (the Water Desalination Act of 1996) 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. 211. (a) NORTH LAS VEGAS WATER REUSE PROJECT.—

(1) AUTHORIZATION.—The Secretary of the Interior, in cooperation with the appropriate local authorities, may participate 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 North Las Vegas Utility Division Service Area of the City of North Las Vegas and County of Clark, Nevada.

(2) COST SHARE.—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.

(b) RECLAMATION WASTEWATER 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 (43 U.S.C. 390h et seq.), as amended.

SEC. 212. None of the funds appropriated or otherwise made available in this Division or any prior Energy and Water Development Appropriations Act may be used for the settlement agreement of Sumner Peck Ranch, Inc. v. Bureau of Reclamation (Civ. No F–91–048 OWW (E.D. Cal)).

SEC. 213. Section 201(d) of the Salton Sea Reclamation Act of 1998 (Public Law 105–372) is amended by striking ''$3,000,000'' and inserting in lieu thereof, ''$10,000,000''.

SEC. 214. The Secretary of the Interior, acting through the Bureau of Reclamation, shall conduct a feasibility study of options for additional water storage in the Yakima River Basin, Washington, with emphasis on the feasibility of storage of Columbia River water in the potential Black Rock Reservoir and the benefit of additional storage to endangered and threatened fish, irrigated agriculture, and municipal water supply. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

SEC. 215. The Secretary of the Interior, in carrying out CALFED-related activities, may undertake feasibility studies for Sites Reservoir, Los Vaqueros Reservoir Enlargement, and Upper San Joaquin Storage projects. These storage studies should be pursued along with ongoing environmental and other projects in a balanced manner.

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 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, $701,477,000, 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, $215,100,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $456,539,000, of which $340,329,000, shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall 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 facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 28 passenger motor vehicles for replacement only, $3,305,894,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $145,000,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $7,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $207,404,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $120,000,000 in fiscal year 2003 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues 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 $87,404,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $37,671,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY 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 weapons 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), $5,954,204,000, to remain available until expended: Provided, That $12,000,000 is authorized to be appropriated for Project 03–D–102, LANL administration building, Los Alamos National Laboratory, Los Alamos, New Mexico: Provided further, That $113,000,000 is authorized to be appropriated for Project 01–D–108, Microsystems and engineering sciences applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico.

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 or for plant or facility acquisition, construction, or expansion, $1,113,630,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $706,790,000, 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), $330,929,000, to remain available for obligation until September 30, 2003.

ENVIRONMENTAL AND OTHER DEFENSE 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 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 not to exceed 24 passenger motor vehicles, for replacement only, $5,470,180,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of 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, $1,138,314,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy 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, $546,554,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $315,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2003, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN 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 expenses 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.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities

and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $27,378,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $16,455,000 in reimbursements, to remain available until expended: Provided, Notwithstanding the provisions of 31 U.S.C. 3302, that up to $1,512,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses 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 carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $168,858,000, to remain available until expended, of which $158,605,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $6,100,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That up to $156,124,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses 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: Provided further, That, of the amounts appropriated in Public Law 107–66, not less than $400,000 to be spent as described in House Report 107–258 under this heading shall be nonreimbursable: Provided further, That, of the amount appropriated in Public Law 107–66 for corridor review and environmental review required for the construction of a 230 kv transmission line between Belfield and Hettinger, not less than $200,000 shall be provided for corridor review and environmental review for the construction of a high voltage line in Western North Dakota that would facilitate the upgrade of the Miles City DC tie.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

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

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $192,000,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $192,000,000 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 herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the General Fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract, or a contract for environmental remediation or waste management in excess of $100 million in annual funding at a current or former management and operating contract site or facility, or award a significant extension or expansion to an existing management and operating contract, or other contract covered by this section, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) Within 30 days of formally notifying an incumbent contractor that the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

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

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $21,183,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

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

(TRANSFERS OF UNEXPENDED BALANCES)

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

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities and other potential users, or seeks input from universities and other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy 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 weapons production plant'' means the following:

(1) the Kansas City Plant, Kansas City, Missouri;

(2) the Y–12 Plant, Oak Ridge, Tennessee;

(3) the Pantex Plant, Amarillo, Texas; and

(4) the Savannah River Plant, South Carolina.

SEC. 309. The Administrator of the National Nuclear Security Administration may authorize the manager of the Nevada Operations Office to engage in research, development, and demonstration activities with respect to the development, test, and evaluation capabilities necessary for operations and readiness of the Nevada Test Site: Provided, That of the amount allocated 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. 310. Section 310 of the Energy and Water Development Appropriations Act, 2000 (Public Law 106–60), is hereby repealed.

SEC. 311. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2003 until the enactment of the Intelligence Authorization Act for fiscal year 2003.

SEC. 312. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or 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 repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 313. Funds appropriated in Public Law 107–066 for the Kachemak Bay submarine cable 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 passage of that Act.

SEC. 314. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393. (a) Upon the request of the licensee for FERC Project No. 11393, the Federal Energy Regulatory Commission shall issue an order staying the license.

(b) Upon the request of the licensee for FERC Project No. 11393, but not later than 6 years after the date that the Federal Energy Regulatory Commission receives written notice that construction of the Swan-Tyee transmission line is completed, the Federal Energy Regulatory Commission shall issue an order lifting the stay and make the effective date of the license the date on which the stay is lifted.

(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 construction, the Commission shall, after reasonable notice and in accordance with the good faith, due diligence, and public interest requirements of that section, extend the time period during which licensee is required to commence the construction of the project for not more than one 2-year time period.

SEC. 315. (a) None of the funds made available under the accounts ''non-defense environmental management'', ''uranium facilities maintenance and remediation'', ''defense environmental restoration and waste management'', or ''defense facilities closure projects'' may be obligated at a Department of Energy site or laboratory, or in association with a site or laboratory, if the effect of such would result in the Department of Energy exceeding for that site or laboratory the comparable current-year level of funding, or the amount of the fiscal year 2003 budget request, whichever is greater.

(b) The limitation of subsection (a) will not apply to a site or laboratory after such time that the Department has entered into a site performance management plan for that site or laboratory consistent with the intent of the Department's environmental management acceleration and reform initiative.

SEC. 316. Notwithstanding any other provision of law, the National Nuclear Security Administration is prohibited from taking any actions adversely affecting employment at the Nevada Operations Office for a period of not less than 365 days, unless the Administrator seeks and is granted a waiver, in writing, from the House and Senate Committees on Appropriations.

SEC. 317. Notwithstanding the provisions of any other law, using funds appropriated in this title, the Secretary of Energy shall proceed with planning and analyses for external regulation of the Department's laboratories under the Office of Science as directed in the statement of managers accompanying this bill.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, and, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $71,290,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $19,000,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding section 382N of said Act, $8,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $48,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), and purchase of promotional items for use in the recruitment of individuals for employment, $578,184,000, to remain available until expended: Provided, That of the amount appropriated herein, $24,900,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $520,087,000 in fiscal year 2003 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation estimated at not more than $58,097,000.

OFFICE OF INSPECTOR GENERAL

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

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,200,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is 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) 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 a 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 affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 503. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 504. Section 309 of Title III—Denali Commission of Division C—Other Matters of Public Law 105–277, as amended, is further amended by striking ''2003'' and inserting in lieu thereof ''thereafter''.

SEC. 505. EXTENSION OF PROHIBITION OF OIL AND GAS DRILLING IN THE GREAT LAKES. Section 503 of the Energy and Water Development Appropriations Act, 2002 (115 Stat. 512), is amended by striking ''2002 and 2003'' and inserting ''2002 through 2005''.

SEC. 506. CLARIFICATION OF INDEMNIFICATION TO PROMOTE ECONOMIC DEVELOPMENT. Title 42 U.S.C. §7274q is amended in subsection (b)(2), by adding the following new subsection:

''(D) Any successor, assignee, transferee, lender or lessee of a person or entity described in subparagraphs (A) through (C).''.

SEC. 507. The Director of the Office of Management and Budget shall transmit to the Congress by April 1, 2003, a cross-cut budget displaying, by fiscal year, all CALFED Bay-Delta Program related expenditures by the Federal government, actual and projected, for fiscal years 1996 through 2004.

This division may be cited as the ''Energy and Water Development Appropriations Act, 2003''.

DIVISION E—FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2003

Making appropriations for foreign operations, export financing, and related programs 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:

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 available during the current fiscal year may be used to make expenditures, contracts, or commitments 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.

SUBSIDY APPROPRIATION

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $512,900,000, to remain available until September 30, 2006: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available

until September 30, 2021 for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2003, 2004, 2005, and 2006: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any East European country, any Baltic State or any agency or national thereof.

ADMINISTRATIVE EXPENSES

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $68,300,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 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 (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $39,885,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 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 Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2003 and 2004: Provided further, That such sums shall remain available through fiscal year 2011 for the disbursement of direct and guaranteed loans obligated in fiscal year 2003, and through fiscal year 2012 for the disbursement of direct and guaranteed loans obligated in fiscal year 2004.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Noncredit Account and merged with said account.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $44,512,000, to remain available until September 30, 2004.

In addition, for an additional amount for ''Trade and Development Agency'' for trade capacity building assistance, $2,500,000, to remain available until September 30, 2003: Provided, That any funds made available by this paragraph shall be made available subject to the regular notification procedures of the Committees on Appropriations.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

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

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, $1,836,500,000, to remain available until September 30, 2005: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for displaced and orphaned children; (5) programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed $150,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following amounts should be allocated as follows: $324,000,000 for child survival and maternal health; $27,000,000 for vulnerable children; $591,500,000 for HIV/AIDS including not less than $18,000,000 which should be made available to support the development of microbicides as a means for combating HIV/AIDS; $155,500,000 for other infectious diseases; $368,500,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species; and $120,000,000 for UNICEF: Provided further, That of the funds appropriated under this heading, and in addition to funds allocated under the previous proviso, not less than $250,000,000 shall be made available, notwithstanding any other provision of law, for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That the cumulative amount of United States contributions to the Global Fund may not exceed the total resources provided by other donors and available for use by the Global Fund: Provided further, That of the funds appropriated under this heading that are available for HIV/AIDS programs and activities, up to $10,500,000 should be made available for the International AIDS Vaccine Initiative, and up to $100,000,000 should be made available for the International Mother and Child HIV Prevention Initiative: Provided further, That of the funds appropriated under this heading, up to $60,000,000 may be made available for a United States contribution to the Vaccine Fund, and up to $6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading ''Operating Expenses of the United States Agency for International Development'' for costs directly related to international health, but funds made available for such costs may not be derived from amounts made available for contribution under the preceding provisos: Provided further, That notwithstanding any other provision of this Act, funds appropriated under this heading that are available for child survival and health programs 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 law, may not be used to transfer or allocate 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 may be used to transfer or allocate up to $25,000,000 of such funds to the Centers for Disease Control and Prevention: Provided further, That of the funds appropriated under this heading, $5,000,000 shall be made available to continue to support the provision of wheelchairs for needy persons in developing countries: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements

contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term ''motivate'', as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That the funds under this heading that are available for the treatment and prevention of HIV/AIDS should also include programs and activities that are designed to maintain and preserve the families of those persons living with HIV/AIDS and to reduce the numbers of orphans created by HIV/AIDS.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and 131, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,389,000,000, to remain available until September 30, 2004: Provided, That none of the funds appropriated under title II of this Act that are managed by or allocated to the United States Agency for International Development's Global Development Secretariat, may be made available except through the regular notification procedures of the Committees on Appropriations: Provided further, That $159,000,000 should be allocated for trade capacity building: Provided further, That $218,000,000 should be allocated for basic education, of which $20,000,000 should be made available only for programs to increase the professional competence of national and regional education administrators: Provided further, That none of the funds appropriated under this heading may be made available for any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna: Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $32,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs, $25,000,000 should be made available for plant biotechnology research and development: Provided further, That not less than $2,300,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than $18,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated by this Act, $100,000,000 shall be made available for drinking water supply projects and related activities.

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.

In addition, for assistance for Afghanistan, $60,000,000 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, infrastructure, and assistance for victims of war and displaced persons.

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $50,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees, as authorized by sections 108 and 635 of the Foreign Assistance Act of 1961, funds may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading ''Assistance for Eastern Europe and the Baltic States'': Provided, That such funds when added to the funds transferred pursuant to the authority contained under this heading in Public Law 107–115, shall not exceed $24,500,000, which shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International 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 THE 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, $572,000,000: Provided, That none of the funds appropriated under this heading and under the heading ''Capital Investment Fund'' 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 long term 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 previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long term lease of offices does not exceed $1,000,000.

CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667, $43,000,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That of the funds appropriated under this heading, up to $10,000,000 may be made available for costs related to the construction of temporary, secure facilities for United States Agency for International Development personnel in Afghanistan: Provided further, That the Administrator of the United States Agency for International Development shall assess fair and reasonable rental payments for the use of space by employees of other United States Government agencies in buildings constructed using funds appropriated under this heading, and such rental payments shall be deposited into this account as an offsetting collection: Provided further, That the rental payments collected pursuant to the previous proviso and deposited as an offsetting collection shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That the assignment of United States Government employees or contractors to space in buildings constructed using funds appropriated under this heading shall be subject to the concurrence of the Administrator of the United States Agency for International Development: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations.

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, $33,300,000, 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 BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,270,000,000, to remain available until September 30, 2004: Provided, That of the funds appropriated under this heading, not less than $600,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than $615,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which not less than $200,000,000 shall be provided as Commodity Import Program assistance: Provided further, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, $250,000,000 should be made available for assistance for Jordan: Provided further, That of the funds appropriated under this heading, up to $1,000,000 should be used to further legal reforms in the West Bank and Gaza, including judicial training on commercial disputes and ethics: Provided further, That not to exceed $200,000,000 of the funds appropriated under this heading in this Act may be made available for the costs, as defined in section 502 of the Congressional Budget

Act of 1974, of modifying direct loans and guarantees for Pakistan: Provided further, That not to exceed $15,000,000 of the funds appropriated under this heading in Public Law 107–206, the Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States, FY 2002, may be made available for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Jordan: Provided further, That not less than $15,000,000 of the funds appropriated under this heading shall be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That not less than $35,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon to be used, among other programs, for scholarships and direct support of the American educational institutions in Lebanon: Provided further, That notwithstanding section 534(a) of this Act, funds appropriated under this heading that are made available for assistance for the Central Government of Lebanon shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Government of Lebanon should enforce the custody and international pickup orders, issued during calendar year 2001, of Lebanon's civil courts regarding abducted American children in Lebanon: Provided further, That of the funds appropriated under this heading, $60,000,000 shall be made available for the United States Agency for International Development for assistance for Indonesia: Provided further, That of the funds appropriated under this heading, not less than $25,000,000 shall be made available for assistance for the Democratic Republic of Timor-Leste of which up to $1,000,000 may be available for administrative expenses of the United States Agency for International Development: Provided further, That of the funds appropriated under this heading, not less than $2,000,000 should be made available for assistance for countries to implement and enforce the Kimberley Process Certification Scheme: Provided further, That $3,000,000 should be made available for the international youth exchange program for secondary school students from countries with significant Muslim populations: Provided further, That funds appropriated under this heading may be used, notwithstanding any other provision of law, to provide assistance to the National Democratic Alliance of Sudan to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardment by the Sudanese Government forces and its militia allies, and the provision of such funds shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That in the previous proviso, the term ''assistance'' includes non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, non-military vehicles, tents, and shoes: Provided further, That of the funds appropriated under this heading, not less than $10,000,000 should be made available during fiscal year 2003 for a contribution to the Special Court for Sierra Leone: Provided further, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, $25,000,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2004.

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, $525,000,000, to remain available until September 30, 2004, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That funds made available for assistance for Kosovo from funds appropriated under this heading and under the headings ''Economic Support Fund'' and ''International Narcotics Control and Law Enforcement'' should not exceed 15 percent of the total resources pledged by all donors for calendar year 2003 for assistance for Kosovo as of March 31, 2003: Provided further, That none of the funds made available under this Act for assistance for Kosovo shall be made available for large scale physical infrastructure reconstruction: Provided further, That of the funds made available under this heading for assistance for Kosovo, up to $1,000,000 should be made available for assistance to support training programs for Kosovar women: Provided further, That not less than $5,000,000 shall be made available for assistance for the Baltic States: Provided further, That of the funds made available under this heading for assistance for Bulgaria, $2,000,000 should be made available to enhance safety at nuclear power plants.

(b) Funds appropriated under this heading or in prior appropriations Acts that are or have been made available for an Enterprise Fund may be deposited by such Fund in interest-bearing accounts prior to the Fund's disbursement of 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 and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and 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 the economic revitalization program 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 529 of this Act shall apply to funds made available under subsection (d) and to funds appropriated under this heading: Provided, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia 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 Democracy (SEED) Act of 1989.

(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 1–A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, 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 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $760,000,000, to remain available until September 30, 2004: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That of the funds made available for the Southern Caucasus region, notwithstanding any other provision of law, funds may be used for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That of the funds appropriated under this heading, not less than $1,500,000 should be available only to meet the health and other assistance needs of victims of trafficking in persons: Provided further, That of the funds appropriated under this heading $17,500,000 shall be made available solely for assistance for the Russian Far East: Provided further, That, notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of the FREEDOM Support Act (Public Law 102–511) shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than $20,000,000 should be made available for nuclear reactor safety initiatives, and not less than $1,500,000 shall be made available for coal mine safety programs, including mine ventilation and fire prevention and control.

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

(d)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation:

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

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

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

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

(e) Of the funds appropriated under this heading, not less than $60,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, basic education, environmental and reproductive health/family planning, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(f) None of the funds appropriated under this heading may be made available for assistance for the Government of Ukraine unless the Secretary of State determines and certifies to the Committees on Appropriations that, since September 30, 2000, the Government of Ukraine has not facilitated or engaged in arms sales or arms transfers to Iraq: Provided, That this paragraph shall not apply to assistance to combat infectious diseases, nuclear safety programs and activities, or assistance for victims of trafficking in persons, and to activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(g) 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 104–201 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. 2421);

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

(4) any insurance, reinsurance, 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. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INDEPENDENT AGENCIES

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 1969, $16,200,000, to remain available until September 30, 2004.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $18,689,000, 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 this authority applies to interest earned both prior to and following enactment of this provision: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), $297,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: Provided, That none of the funds appropriated under this heading shall be used to pay for abortions: Provided further, That funds appropriated under this heading shall remain available until September 30, 2004: Provided further, That the Director of the Peace Corps may make appointments or assignments, or extend current appointments or assignments, to permit United States citizens to serve for periods in excess of five years in the case of individuals whose appointment or assignment, such as regional safety security officers and employees within the Office of the Inspector General, involves the safety of Peace Corps volunteers: Provided further, That the Director of the Peace Corps may make such appointments or assignments notwithstanding the provisions of section 7 of the Peace Corps Act limiting the length of an appointment or assignment, the circumstances under which such an appointment or assignment may exceed five years, and the percentage of appointments or assignments that can be made in excess of five years.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $197,000,000, to remain available until expended: Provided, That during fiscal year 2003, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading, not less than $5,000,000 shall be apportioned directly to the Department of the Treasury, International Affairs Technical Assistance, to be used for financial crimes and law enforcement technical assistance programs: Provided further, That of the funds appropriated under this heading, $10,000,000 should be made available for the demand reduction program: Provided further, That of the funds appropriated under this heading, $10,000,000 should be made available for anti-trafficking in persons programs, including trafficking prevention, protection and assistance for victims, and prosecution of traffickers: Provided further, That of the funds appropriated under this heading, not more than $24,180,000 may be available for administrative expenses.

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, $700,000,000, 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 $31,000,000 for the Andean Counterdrug Initiative, which may be derived from funds appropriated under the heading ''International Narcotics Control and Law Enforcement'' in this Act and in prior Acts making appropriations for foreign operations, export financing, and related programs: Provided further, That in fiscal year 2003, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided further, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: Provided further, That none of the funds appropriated by this Act may be made available to support a Peruvian air interdiction program until the Secretary of State and Director of Central Intelligence certify to the Congress, 30 days before any resumption of United States involvement in a Peruvian air interdiction program, that an air interdiction program that permits the ability of the Peruvian Air Force to shoot down aircraft will include enhanced safeguards and procedures to prevent the occurrence of any incident similar to the April 20, 2001 incident: Provided further, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the amount appropriated under this heading, not less than $250,000,000 shall be apportioned directly to the United States Agency for International Development, to be used for economic and social programs: Provided further, That of the funds appropriated under this heading and under the heading ''Foreign Military Financing Program'', not less than $5,000,000 should be made available to support a Colombian Armed Forces unit dedicated to apprehending the leaders of paramilitary organizations: Provided further, That of the funds made available for assistance for Colombia under this heading, up to $3,000,000 should be made available for commercially developed, web monitoring software, and training on the usage thereof, for the Colombian National Police: Provided further, That of the funds made available for assistance for Colombia under this heading, not less than $1,500,000 should be made available for vehicles, equipment, and other assistance for the human rights unit of the Procurador General: Provided further, That not more than 20 percent of the funds appropriated by this Act that are used for the procurement of chemicals for aerial coca and poppy fumigation programs may be made available for such programs unless the Secretary of State, after consultation with the Administrator of the Environmental Protection Agency (EPA), certifies to the Committees on Appropriations that (1) the herbicide mixture is being used in accordance with EPA label requirements for comparable use in the United States and any additional controls recommended by the EPA for this program, and with the Colombian Environmental Management Plan for aerial fumigation; (2) the herbicide mixture, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment; (3) complaints of harm to health or licit crops caused by such fumigation are evaluated and fair compensation is being paid for meritorious claims; and such funds may not be made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers whose illicit crops are targeted for fumigation: 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 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 made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 3204(b) through (d) of Public Law 106–246, as amended by Public Law 107–115, 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 of the funds appropriated under this heading, not less than $3,500,000 shall be made available for assistance for the Colombian National Park Service for training, equipment, and other assistance to protect Colombia's national parks and reserves: Provided further, That of the funds appropriated under this heading, not more than $15,680,000 may be available for administrative expenses of the Department of State, and not more than $4,500,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $787,000,000, which shall remain available until expended: Provided, That not more than $16,565,000 may be available for administrative expenses: Provided further, That not less than $60,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $26,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $306,400,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA) and a voluntary contribution to the Korean Peninsula Energy Development Organization (KEDO), consistent with the provisions of section 562 of this Act, and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided further, That of this amount not to exceed $15,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so following consultation with the appropriate committees of Congress: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That of the funds made available for demining and related activities, not to exceed $675,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That the Secretary of State is authorized to provide not to exceed $250,000 for public-private partnerships for mine action by grant, cooperative agreement, or contract.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961 (relating to international affairs technical assistance activities), $10,800,000, to remain available until expended, which shall be available notwithstanding any other provision of law.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $80,000,000, of which up to $3,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training and funds made available for Algeria, Nigeria and Guatemala may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,072,000,000: Provided, That of the funds appropriated under this heading, not less than $2,100,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $550,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That except as provided in the following proviso, none of the funds appropriated by this paragraph may be made available for helicopters and related support costs for Colombia: Provided further, That up to $93,000,000 of the funds appropriated by this paragraph may be transferred to and merged with funds appropriated under the heading ''Andean Counterdrug Initiative'' for helicopters, training and other assistance for the Colombian Armed Forces for security for the Cano Limon pipeline: Provided further, That funds appropriated by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Liberia: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Guatemala: Provided further, That only those countries for which assistance was justified for the ''Foreign Military Sales Financing Program'' in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than $38,000,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than $356,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2003 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2003 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act .

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $115,000,000: Provided, 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 ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $147,812,533, to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility, by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $850,000,000, to remain available until expended.

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 SUBSCRIPTIONS

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 $7,609,793.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation, by the Secretary of the Treasury, $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, $24,590,667, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $97,886,133, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $5,104,473, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African 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 $79,602,688.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $108,073,333, to remain available until expended.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, $35,804,955 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed $123,328,178.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources 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 of section 2 of the United Nations Environment Program Participation Act of 1973, $195,150,000: Provided, That none of the funds appropriated under this heading may be made available to the Korean Peninsula Energy Development Organization (KEDO) or the International Atomic Energy Agency (IAEA): Provided further, That of the funds appropriated under this heading, not less than $500,000 should be made available for a United States contribution to the International Coffee Organization (ICO) if the United States becomes a member of the ICO prior to June 1, 2003: Provided further, That if the United States does not rejoin the International Coffee Organization by June 1, 2003, the amount allocated under the previous proviso should be made available for the United Nations Center for Human Settlements (UN-HABITAT) in addition to other funds made available for UN-HABITAT under this heading.

TITLE V—GENERAL PROVISIONS

OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

SEC. 501. Except for the appropriations entitled ''International Disaster Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund'', not more than 15 percent of any appropriation item made available by this Act shall be obligated during the last month of availability.

PRIVATE AND VOLUNTARY ORGANIZATIONS

SEC. 502. (a) None of the funds appropriated or otherwise made available by this Act for development assistance may be made available to any United States private and voluntary organization, except any cooperative development organization, which obtains less than 20 percent of its total annual funding for international activities from sources other than the United States Government: Provided, That the Administrator of the United States Agency for International Development, after informing the Committees on Appropriations, may, on a case-by-case basis, waive the restriction contained in this subsection, after taking into account the effectiveness of the overseas development activities of the organization, its level of volunteer support, its financial viability and stability, and the degree of its dependence for its financial support on the agency.

(b) Funds appropriated or otherwise made available under title II of this Act should be made available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995.

LIMITATION ON RESIDENCE EXPENSES

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

LIMITATION ON EXPENSES

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

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $125,000 shall be available for representation allowances for the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading ''Foreign Military Financing Program'', not to exceed $2,000 shall be available for entertainment expenses and not to exceed $125,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading ''International Military Education and Training'', not to exceed $50,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading ''Trade and Development Agency'', not to exceed $2,000 shall be available for representation and entertainment allowances.

PROHIBITION ON FINANCING NUCLEAR GOODS

SEC. 506. None of the funds appropriated or made available (other than funds for ''Nonproliferation, Anti-terrorism, Demining and Related Programs'') pursuant to this Act, 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 technology.

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 prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents: Provided further, That assistance or other financing under this Act or under prior foreign operations, export financing, and related programs appropriations Acts may be provided for humanitarian and relief assistance for Iraq notwithstanding the provisions of this section or any other provision of law, including comparable provisions contained in prior foreign operations, export financing, and related programs appropriations Acts, if the President determines that the provision of assistance or other financing for Iraq is important to the national security interests of the United States: Provided further, That such assistance or financing shall be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of obligations of funds: Provided further, That the President shall submit a report to the Committees on Appropriations on the status of the allocation, obligation and expenditure of funds made available for Iraq not later than every 60 days during fiscal year 2003, beginning on March 1, 2003:

Provided further, That each such report shall include information on programs, projects, and activities that are being funded or will be funded with such assistance or financing, and the departments and agencies responsible for managing each such program, project, and activity: Provided further, That the authority of the second proviso of this section to provide assistance for Iraq shall expire on the date of enactment of the first subsequent supplemental appropriations Act for fiscal year 2003 that contains supplemental funding for appropriations accounts contained in this Act.

MILITARY COUPS

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 to the government of any country whose duly elected head of government is deposed by decree or military coup: Provided, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS BETWEEN ACCOUNTS

SEC. 509. (a) None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(b) Notwithstanding subsection (a), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(c) 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, unless the President, not less than five days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(d) Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

DEOBLIGATION/REOBLIGATION AUTHORITY

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 immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: Provided, That the authority of this section may not be used in fiscal year 2003.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, section 23 of the Arms Export Control Act, and funds provided under the heading ''Assistance for Eastern Europe and the Baltic States'', shall remain 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 contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

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 the government of any country which is in default during a period in excess of one calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President 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 and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

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

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

SURPLUS COMMODITIES

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

NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for ''Child Survival and Health Programs Fund'', ''Development Assistance'', ''International Organizations and Programs'', ''Trade and Development Agency'', ''International Narcotics Control and Law Enforcement'', ''Andean Counterdrug Initiative'',''Assistance for Eastern Europe and the Baltic States'', ''Assistance for the Independent States of the Former Soviet Union'', ''Economic Support Fund'', ''Peacekeeping Operations'', ''Capital Investment Fund'', ''Operating Expenses of the United States Agency for International Development'', ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', ''Nonproliferation, Anti-terrorism, Demining and Related Programs'', ''Foreign Military Financing Program'', ''International Military Education and Training'', ''Peace Corps'', and ''Migration and Refugee Assistance'', shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Appropriations Committees for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this section shall not apply to any reprogramming for an activity, program, or project under chapter 1 of part I of the Foreign Assistance Act of 1961 of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2004.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

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—

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

(2) if that government applies or transfers United States assistance to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures.

Assistance may be furnished without regard to this subsection if the President determines that to do so is in the national interest.

(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 that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(c) None of the funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(d) Funds appropriated under the heading ''Assistance for the Independent States of the Former Soviet Union'' for the Russian Federation, Armenia, Georgia, and Ukraine 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 appropriations Acts that are or have been made available for an Enterprise Fund in the Independent States of the Former Soviet Union may be deposited by such Fund in interest-bearing accounts prior to the disbursement of such funds by the Fund 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 and without further appropriation by the Congress. Funds made available for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

(g) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading ''Assistance for the Independent States of the Former Soviet Union'' and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to the New Independent States and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. 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 or to motivate or coerce any person to practice abortions. 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 involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. 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 any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2003, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for Colombia, Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or the Democratic Republic of the Congo except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act, ''program, project, 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 and Foreign Military Financing Program, ''program, project, and activity'' shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development ''program, project, and activity'' shall also be considered to include central, country, regional, and program level funding, either as: (1) 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 of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to $13,500,000 of the funds made available by this Act for assistance under the heading ''Child Survival and Health Programs Fund'', may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to $3,500,000 of the funds made available by this Act for assistance under the heading ''Development Assistance'' may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by this Act that are made available for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law: Provided further, That funds appropriated under title II of this Act may be made available pursuant to section 301 of the Foreign Assistance Act of 1961 if a primary purpose of the assistance is for child survival and related programs: Provided further, That of the funds appropriated under title II of this Act, not less than $446,500,000 shall be made available for family planning/reproductive health.

AFGHANISTAN

SEC. 523. Of the funds appropriated by title II of this Act, not less than $295,500,000 shall be made available for humanitarian, reconstruction, and related assistance for Afghanistan: Provided, That of the funds made available pursuant to this section, not less than $50,000,000 should be from funds appropriated under the heading ''Economic Support Fund'' for rehabilitation of primary roads, implementation of the Bonn Agreement and women's development, of which not less than $5,000,000 is to support activities coordinated by the Afghan Ministry of Women's Affairs, including the establishment and support of multi-service women's centers in Afghanistan: Provided further, That of the funds made available pursuant to this section from ''Development Assistance'', ''International Disaster Assistance'' and ''Transition Initiatives'', high priority should be placed on girls' and women's education, health, legal and social rights, economic opportunities, and political participation by women: Provided further, That assistance should be made available to communities and families that were adversely affected by the military operations: Provided further, That of the funds made available pursuant to this section, up to $9,850,000 may be transferred to and merged with funds appropriated by this Act under the headings ''Operating Expenses of the United States Agency for International Development'' and ''Operating Expenses of the United States Agency for International Development Inspector General''.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense 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 47(9) 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 appropriated funds for specific countries 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

SEC. 525. Funds appropriated by this Act, except funds appropriated under the headings ''Trade and Development Agency'', ''International Military Education and Training'', ''Foreign Military Financing Program'', ''Migration and Refugee Assistance'', ''Peace Corps'', and ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

DEMOCRACY PROGRAMS

SEC. 526. (a) Notwithstanding any other provision of law, of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, not less than $15,000,000 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, Hong Kong and Tibet: Provided, That not to exceed $3,000,000 may be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China: Provided further, That funds appropriated under the heading ''Economic Support Fund'' should 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 the extent that they are matched from sources other than the United States Government: Provided further, 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 less than $15,000,000 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 should support new initiatives or bolster ongoing programs and activities in those countries: Provided further, That not less than $3,000,000 should 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 advancement of democracy and human rights in Iran: Provided further, That funds made available pursuant to this subsection shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) Of the funds made available under subsection (a), not less than $9,000,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, to support the activities described in subsection (a), and of the funds made available under subsection (b), not less than $7,000,000 shall be made available for such Fund to support the activities described in subsection (b): Provided, That funds made available in this section for such Fund are in addition to the $12,000,000 requested by the President for the Fund for fiscal year 2003.

(d) Of the funds made available under subsection (a), not less than $3,000,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (a), and of the funds made available under subsection (b), not less than $5,000,000 shall be made available for the National Endowment for Democracy to support the activities described in subsection (b): Provided, That the funds appropriated by this Act that are made available for the National Endowment for Democracy may be made available notwithstanding any other provision of law or regulation, and the Secretary of State shall provide a report to the Committees on Appropriations within 120 days of the date of enactment of this Act on the status of the allocation, obligation, and expenditure of such funds.

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (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 any country which the President determines—

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

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in 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 place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided 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.

SEPARATE ACCOUNTS

SEC. 529. (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 that country, 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 which sets forth—

(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) USES 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 amount of local currencies, shall be used only—

(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 disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

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

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose 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 notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(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 regular notification procedures of 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 interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 530. (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 IV 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 in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section, ''international financial institutions'' are: the International Bank for Reconstruction and Development, the Inter-American Development Bank,

the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST IRAQ

SEC. 531. None of the funds appropriated or otherwise made available pursuant to this Act to carry out the Foreign Assistance Act of 1961 (including title IV of chapter 2 of part I, relating to the Overseas Private Investment Corporation) or the Arms Export Control Act may be used to provide assistance to any country that is not in compliance with the United Nations Security Council sanctions against Iraq unless the President determines and so certifies to the Congress that—

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

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

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

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

SEC. 532. Unless expressly provided to the contrary, provisions of this or 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. 533. 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 because United States production is being replaced by such enterprise outside the United States; or

(b) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act and any similar provision of law, and funds appropriated in titles I and II of this Act that are made available for Lebanon, Montenegro, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs 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 chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 20 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 managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 7 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out the Foreign Assistance Act of 1961 may be made available for personal services contractors assigned only to the Office of Procurement; the Bureau for Africa; and the Bureau for Asia and the Near East: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, 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 if the President determines and certifies 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 a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

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

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

(g) SHIPMENT OF HUMANITARIAN ASSISTANCE.—During fiscal year 2003, of the amounts made available by the United States Agency for International Development to carry out the provisions of section 123(b) of the Foreign Assistance Act of 1961, funds may be made available to nongovernmental organizations for administrative costs necessary to implement a program to obtain available donated space on commercial ships for the shipment of humanitarian assistance overseas.

(h) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) 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.

(i) REPEAL.—Section 545(d) of Public Law 106–429, and comparable provisions contained in prior Acts making appropriations for foreign operations, export financing, and related programs, are hereby repealed.

(j) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for Intenational Development, from this or any other Act, not less than $6,000,000 should be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

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

(2) the Arab League boycott, which was regrettably reinstated in 1997, 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 securing a peaceful resolution of the Israeli-Arab conflict;

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

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

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

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 536. 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 conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

SEC. 537. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading ''Assistance for Eastern Europe and the Baltic States'': Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or

involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2003, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance 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.

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

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting 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.

EARMARKS

SEC. 538. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made 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: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

CEILINGS AND EARMARKS

SEC. 539. Ceilings and earmarks contained in this Act shall not be applicable 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.

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 540. 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 by the Congress: Provided, That not to exceed $750,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 541. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 542. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

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

SEC. 543. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of 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 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 if the President determines that furnishing such assistance is important to the national interests of the United States.

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

WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED BY FOREIGN COUNTRIES

SEC. 544. (a) IN GENERAL.—Of the funds appropriated under this Act that are made available for a foreign country under part I of the Foreign Assistance Act of 1961, an amount equivalent to 110 percent of the total unpaid fines determined to be owed under the parking programs in the District of Columbia and New York City, New York by such country as of September 30, 2002 that were incurred after the first day of the fiscal year preceding the current fiscal year shall be withheld from obligation for such country until the Secretary of State certifies and reports in writing to the appropriate congressional committees that such fines and penalties are fully paid to the governments of the District of Columbia and New York City, New York.

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

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

SEC. 545. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 546. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: Provided further, That funds made available for tribunals other than Yugoslavia or Rwanda shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 547. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 548. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 549. None of the funds appropriated or otherwise made available by this Act under the heading ''International Military Education and Training'' or ''Foreign Military Financing Program'' for Informational Program activities or under the headings ''Child Survival and Health Programs Fund'', ''Development Assistance'', and ''Economic Support Fund'' may be obligated or expended to pay for—

(1) alcoholic beverages; or

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

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 550. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the

United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

CARIBBEAN BASIN

SEC. 551. (a) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

(b) Of the funds appropriated by title II of this Act and of the funds appropriated to carry out food assistance programs managed by the United States Agency for International Development, a total of not less than $52,500,000 should be allocated for assistance for Haiti in fiscal year 2003.

(c) Of the funds appropriated by title II of this Act, a total of $37,680,000 should be allocated for assistance for Nicaragua and $40,130,000 should be allocated for assistance for Honduras, to address the conditions of increasing poverty in the rural sectors of those countries through programs that support, among other things, increased agricultural production and other income generating opportunities, improved health, and expanded education opportunities, especially for disadvantaged youth.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 552. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President 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 pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 553. 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, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

PROTECTION OF BIODIVERSITY AND TROPICAL FORESTS

SEC. 554. Of the funds appropriated under the heading ''Development Assistance'', not less than $145,000,000 should be made available for programs and activities which directly protect biodiversity, including forests, in developing countries: Provided, That of the funds made available under this section, $50,000,000 shall be made available to carry out tropical forest conservation activities authorized by the Foreign Assistance Act of 1961, of which amount up to $40,000,000 may be made available for the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, pursuant to the provisions of part V of such Act, the Tropical Forest Conservation Act of 1998.

ENERGY CONSERVATION, ENERGY EFFICIENCY AND CLEAN ENERGY PROGRAMS

SEC. 555. (a) FUNDING.—Of the funds appropriated by this Act, not less than $175,000,000 should be made available to support policies and programs in developing countries and countries in transition 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.

(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 a report to the Committees on Appropriations describing in detail the following—

(1) all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2003, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President's Budget Appendix; and

(2) all fiscal year 2002 obligations and estimated expenditures, 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 United States clean energy and energy efficiency technologies; (2) to assist in the measurement, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (3) to promote carbon capture and sequestration measures; (4) to help meet such countries' responsibilities under the Framework Convention on Climate Change; and (5) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

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 loans, 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, including respect for ownership and title to property, freedom of speech and association.

NIGERIA

SEC. 557. None of the funds appropriated under the headings ''International Military Education and Training'' and ''Foreign Military Financing Program'' may be made available for assistance for Nigeria until the President certifies to the Committees on Appropriations that the Nigerian Minister of Defense, the Chief of the Army Staff, and the Minister of State for Defense/Army are suspending from the Armed Forces those members, of whatever rank, against whom there is credible evidence of gross violations of human rights in Benue State in October 2001, and the Government of Nigeria and the Nigerian Armed Forces are taking effective measures to bring such individuals to justice: Provided, That the President may waive such prohibition if he determines that doing so is in the national security interest of the United States: Provided further, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations describing the involvement of the Nigerian Armed Forces in the incident in Benue State, the measures that are being taken to bring such individuals to justice, and whether any Nigerian Armed Forces units involved with the incident in Benue State are receiving United States assistance.

BURMA

SEC. 558. Of the funds appropriated under the heading ''Economic Support Fund'', not less than $7,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: Provided, That of this amount $500,000 should be made available to support newspapers, publications, and other media activities promoting democracy inside Burma: Provided further, That funds made available 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.

ENTERPRISE FUND RESTRICTIONS

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

CAMBODIA

SEC. 560. (a) The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic human needs.

(b)(1) 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 apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases, programs to combat human trafficking that are provided through nongovernmental organizations, 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'', up to $5,000,000 may be made available for activities to support democracy, including assistance for democratic political parties.

(d) Of the funds appropriated by this Act, $3,750,000 shall be made available, notwithstanding subsection (b), as a contribution for an endowment to sustain rehabilitation programs for Cambodians suffering from physical disabilities that are administered by an American nongovernmental organization that is directly supported by the United States Agency for International Development: Provided, 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 May 1, 2003, a report on all military training provided to foreign military personnel (excluding sales, and excluding training provided to the military 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 also include, with respect to United States personnel, the operational benefits to United States forces derived from each such training activity and the United States military units involved in each such training activity. This report may include a classified annex if deemed necessary and appropriate.

(b) For purposes of this section a report to Congress shall be deemed to mean 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, or prior Acts making appropriations for foreign operations, export financing, and related programs, may be made available for assistance to the Korean Peninsula Energy Organization (KEDO): Provided, That the President may waive this restriction and provide up to $5,000,000 of funds appropriated under the heading ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'' for assistance to KEDO for administrative expenses only notwithstanding any other provision of law, if he determines that it is vital to the national security interests of the United States and provides a written policy justification to the appropriate congressional committees: Provided further, That funds may be obligated for assistance to KEDO subject to the regular notification procedures of the Committees on Appropriations.

PALESTINIAN STATEHOOD

SEC. 563. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is fully cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 552 of this Act (''Limitation on Assistance to the Palestinian Authority'').

COLOMBIA

SEC. 564. (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 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 and reports 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 organizations.

(B) The Colombian Government is prosecuting 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 is punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) 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 suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces are severing links (including denying 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 paramilitary organizations.

(E) The Colombian Armed Forces are executing orders for capture of leaders of paramilitary organizations that continue armed conflict.

(3) The balance of such funds may be obligated after July 31, 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 subsection (a), the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in that subsection.

(c) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term ''aided or abetted'' means to provide any support to paramilitary 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.

ILLEGAL ARMED GROUPS

SEC. 565. (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 the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 566. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

IRAQ

SEC. 567. Notwithstanding any other provision of law, funds appropriated under the heading ''Economic Support Fund'' may be made available for programs benefitting the Iraqi people and to support efforts to bring about a political transition in Iraq: Provided, That none of the funds made available pursuant to the authorities provided in 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 section are made available subject to the regular notification procedures of the Committees on Appropriations.

WEST BANK AND GAZA PROGRAM

SEC. 568. (a) OVERSIGHT.—For fiscal year 2003, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading ''Economic Support Fund'' for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading ''Economic Support Fund'' for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual or entity that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection.

(c) AUDITS.—(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading ''Economic Support Fund'' that are made available for assistance for the

West Bank and Gaza, up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

INDONESIA

SEC. 569. 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 for the Indonesian Armed Forces, only if the President certifies to the appropriate congressional committees that—

(1) the Indonesia Minister of Defense is suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, or to have aided or abetted militia groups;

(2) the Indonesian Government is prosecuting 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 militia groups, and is punishing those members of the Indonesian Armed Forces found to have committed such violations of human rights or to have aided or abetted militia groups;

(3) 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

(4) the Minister of Defense is making publicly available audits of receipts and expenditures of the Indonesian Armed Forces.

RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS DESTABILIZING SIERRA LEONE

SEC. 570. (a) 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 6 months, in the illicit distribution, transportation, or sale of diamonds mined in Sierra Leone.

(b) Whenever the prohibition on assistance required under subsection (a) is exercised, the Secretary of State shall notify the Committees on Appropriations in a timely manner.

VOLUNTARY SEPARATION INCENTIVES

SEC. 571. Section 579(c)(2)(D) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000, as enacted by section 1000(a)(2) of the Consolidated Appropriations Act, 2000 (Public Law 106–113), as amended, is amended by striking ''December 31, 2002'' and inserting in lieu thereof ''January 1, 2003''.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 572. Funds appropriated in Public Law 107–115 that were available for the United Nations Population Fund (UNFPA), and an equal amount in this Act, shall be made available for the UNFPA if the President determines that the UNFPA no longer supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided, That none of the funds made available for the UNFPA may be used in the People's Republic of China: Provided further, That the other conditions on availability of funds for abortion and abortion-related activities contained in either this Act or Public Law 107–115, including but not limited to section 576(c), shall apply to any assistance provided for the UNFPA in this Act or Public Law 107–115, respectively: 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 in this Act: Provided further, That the amount of funds that the UNFPA plans to spend in the People's Republic of China in calendar years 2002 and 2003, as determined by the Secretary of State, shall be deducted from funds made available to the UNFPA under Public Law 107–115 and this Act.

PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

SEC. 573. (a) FUNDING CONDITIONS.—Of the funds made available under the heading ''International Financial Institutions'' in this Act, 10 percent of the United States portion or payment to such International Financial Institution shall be withheld by the Secretary of the Treasury, until the Secretary certifies to the Committees on Appropriations that, to the extent pertinent to its lending programs, the institution is—

(1) implementing procedures for conducting annual audits by qualified independent auditors for all new investment lending;

(2) implementing procedures for annual independent external audits of central bank financial statements for countries making use of International Monetary Fund resources under new arrangements or agreements with the Fund;

(3) taking steps to establish an independent fraud and corruption investigative organization or office;

(4) implementing a process to assess a recipient country's procurement and financial management capabilities including an analysis of the risks of corruption prior to initiating new investment lending; and

(5) taking steps to fund and implement programs and policies to improve transparency and anti-corruption programs and procurement and financial management controls in recipient countries.

(b) DEFINITIONS.—The term ''International Financial Institutions'' means the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Inter-American Investment Corporation, the Enterprise for the Americas Multilateral Investment Fund, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the European Bank for Reconstruction and Development, and the International Monetary Fund.

CENTRAL ASIA

SEC. 574. (a) Funds appropriated by this Act may be made available for assistance for the Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the ''Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America''.

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

(c) The Secretary of State may waive the requirements under subsection (b) if he determines and reports to the Committees on Appropriations that such a waiver is in the national security interests of the United States.

(d) Not later than October 1, 2003, 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 each such report.

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

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

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 575. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

WAR CRIMINALS

SEC. 576. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the ''Tribunal'') all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

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

(2) are acting consistently with the Dayton Accords.

(c) 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 Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance

directly supports the implementation of the Dayton Accords.

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

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

(2) ENTITY.—The term ''entity'' refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(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. 577. 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. 578. (a) Funds appropriated by this Act may be made available for assistance for Serbia after June 15, 2003, if the President has made the determination and certification contained in subsection (c).

(b) After June 15, 2003, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of the Federal Republic of Yugoslavia (or a government of a successor state) subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Federal Republic of Yugoslavia (or a successor state) 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 Federal Republic of Yugoslavia (or a government of a successor state) is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law, including the release of political prisoners from Serbian jails and prisons.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy in municipalities.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 579. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2003 by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors, as of the date of the enactment of this Act, shall be withheld from obligation from funds appropriated for assistance for fiscal year 2004 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REFUND TO THE TREASURY AND REPROGRAMMING OF FUNDS.—Of the funds withheld from obligation for each country or entity pursuant to subsection (b), one-half may become available for reprogramming for other purposes (pursuant to section 515 of this Act and consistent with the purposes for which such funds were originally appropriated) and one-half shall be deposited in the General Fund of the Treasury on, or within 5 days after, September 1, 2004, pursuant to the certification required under subsection (b).

(e) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(f) REPORT.—Not later than February 1, 2004, the Comptroller General of the United States shall submit a report to the Committees on Appropriations which assesses the following—

(1) the extent to which existing bilateral agreements provide exemption from taxation;

(2) the status of negotiations of new framework bilateral agreements or modifications of existing framework bilateral agreements;

(3) the reasons why new framework bilateral agreements or modifications of existing bilateral agreements, entered into within the previous 5 years, have (as appropriate) failed to include exemption from taxation; and

(4) the administrative procedures that foreign governments use to ensure that United States assistance commodities are not taxed or, if they are, that such taxes are reimbursed to the United States Government, and the adequacy of those procedures.

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

(1) the terms ''taxes'' and ''taxation'' refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term ''bilateral agreement'' refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

GAO REPORT

SEC. 580. Not later than November 1, 2003, the Comptroller General of the United States shall provide a report to the Committees on Appropriations on the extent to which the Department of State is complying with section 301(c) of the Foreign Assistance Act of 1961, and on the implementation of procedures that have been established to meet the standards of the Department of State regarding compliance with the requirements of section 301(c).

TRAINING PROGRAM EVALUATION

SEC. 581. Not later than June 30, 2003, the Secretary of State, in consultation with the Secretary of Defense, shall submit a report to the Committees on Appropriations describing in detail the steps that the Departments of State and Defense are making to improve performance evaluation procedures for the International Military Education and Training (IMET) program and the progress that the Departments of State and Defense are making in implementing section 548 of the Foreign Assistance Act of 1961.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 582. (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 660 of that Act, to enhance the effectiveness and accountability of civilian police authority in Jamaica and El Salvador through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict and foster improved police relations with the communities they serve.

(b) REPORT.—

(1) The Administrator of the United States Agency for International Development shall submit, 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 contains in section 587(b) of Public Law 107–115.

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

OVERSEAS PRIVATE INVESTMENT CORPORATION AND EXPORT-IMPORT BANK RESTRICTIONS

SEC. 583. (a) LIMITATION ON USE OF FUNDS BY OPIC.—None of the funds made available in this Act may be used by the Overseas Private Investment Corporation to insure, reinsure, guarantee, or finance any investment in connection with a project involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(b) LIMITATION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK.—None of the funds made available in this Act may be used by the Export-Import Bank of the United States to guarantee, insure, extend credit, or participate in an extension of credit in connection with the export of any goods to a country for use in an enterprise involving the mining, polishing or other processing, or sale of diamonds in a country that fails to meet the requirements of subsection (c).

(c) REQUIREMENTS.—The requirements referred to in subsections (a) and (b) are that the country concerned is implementing the recommendations, obligations and requirements developed by the Kimberley Process on conflict diamonds, or taking other measures that the Secretary of State determines to contribute effectively to preventing and eliminating the trade in conflict diamonds.

TRADE CAPACITY BUILDING

SEC. 584. Of the funds appropriated by this Act, under the headings ''Trade and Development Agency'', ''Development Assistance'', ''Transition Initiatives'', ''Economic Support Fund'', ''International Affairs Technical Assistance'', and ''International Organizations and Programs'', not less than $452,000,000 should be made available for trade capacity building assistance.

TRANSPARENCY AND ACCOUNTABILITY

SEC. 585. (a) FINDINGS.—The Congress finds that—

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

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

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

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

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

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

(2) Relevant laws and regulations in such countries governing the public disclosure of revenues and expenditures in national budgets;

(3) The adequacy of those laws and regulations, and the extent to which they are implemented and enforced;

(4) Those countries receiving such assistance where no such laws or regulations exist, and the extent to which such revenues and expenditures are publicly disclosed; and

(5) Programs and activities sponsored by the United States Government to promote accurate disclosure of revenues and expenditures in the national budgets of such countries, and the results of those programs and activities.

AMERICAN CHURCHWOMEN AND OTHER CITIZENS IN EL SALVADOR AND GUATEMALA

SEC. 586. (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 murders of other American citizens in Guatemala since December 1999, should be investigated and made public.

(b) Not later than 45 days after enactment of this Act, the President shall order all Federal agencies and departments, including the Federal Bureau of Investigation, that possess relevant information, to expeditiously declassify and release to the victims' families such information, consistent with existing standards and procedures on classification, and shall provide a copy of such order to the Committees on Appropriations.

(c) In making determinations concerning declassification and release of relevant information, all Federal agencies and departments should use the discretion contained within such existing standards and procedures on classification in support of releasing, rather than withholding, such information.

(d) All reasonable efforts should be taken by the American Embassy in Guatemala to work with relevant agencies of the Guatemalan Government to protect the safety of American citizens in Guatemala, and to assist in the investigations of violations of human rights.

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, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $825,712,000, to remain available until expended, of which $1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps; of which $2,500,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 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 Act of 1965, as amended (16 U.S.C. 460l–6a(i)); 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 Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, $32,696,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $825,712,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $654,406,000, to remain available until expended, of which not to exceed $12,374,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the 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 grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $11,976,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $220,000,000, of which not to exceed $400,000 shall be available for administrative expenses: Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $33,450,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California

Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $105,633,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

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

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys 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 administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $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 authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator 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, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge, general 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, $917,429,000, to remain available until September 30, 2004, except as otherwise provided herein: Provided, That not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: 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 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing 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 $6,000,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), 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 activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $54,427,000, to remain available until expended: Provided, That notwithstanding any other provision of law, a single procurement for the expansion of the Clark R. Bavin Forensics Laboratory in Oregon may be issued, which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232.18: Provided further, That notwithstanding any other provision 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 the project: Provided further, That the solicitation and the 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. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $73,370,000, 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

(INCLUDING RESCISSION)

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $40,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish, or supplement existing, landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, or candidate species, or other at-risk species on private lands: Provided further, That from unobligated balances of prior year appropriations, an amount of $40,000,000 is rescinded.

STEWARDSHIP GRANTS

(INCLUDING RESCISSION)

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $10,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That the amount provided herein is for the Secretary to establish a Private Stewardship Grants Program to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species: Provided further, That from unobligated balances of prior year appropriations, an amount of $10,000,000 is rescinded.

COOPERATIVE ENDANGERED SPECIES 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, of which $29,529,000 is to be derived from the Cooperative Endangered Species Conservation Fund and $51,471,000 is to be derived from the Land and Water Conservation Fund and to remain available until expended.

NATIONAL 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

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), $3,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), and the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), $4,800,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 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, $65,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That of the amount provided herein, $5,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting said $3,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 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-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the 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 may not be derived from Federal grant programs: Provided further, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: Provided further, That any amount apportioned in 2003 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2004, shall be reapportioned, together with funds appropriated in 2005, in the manner provided herein: Provided further, That balances from amounts previously appropriated under the heading ''State Wildlife Grants'' shall be transferred to and merged with this appropriation and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 102 passenger motor vehicles, of which 75 are for replacement only (including 39 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That the United States Fish and Wildlife Service is authorized to grant $500,000 appropriated in Public Law 107–63 for land acquisition to the Narragansett Indian Tribe 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 unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, $1,565,565,000, of which $10,878,000 for planning and interagency coordination in support of Everglades restoration shall remain available until expended; of which $85,280,000, to remain available until September 30, 2004, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which $2,000,000 is for the Youth Conservation Corps for high priority projects: Provided, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed $10,000 per event subject to the review and concurrence of the Washington headquarters office.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $78,431,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $61,667,000.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), $300,000, to remain available until expended.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $69,000,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2004: Provided, That, of the amount provided herein, $2,000,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: Provided further, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: Provided further, That of the total amount provided, $30,000,000 shall be 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 eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations and the Secretary of the Interior in consultation with the President's Committee on the Arts and Humanities prior to the commitment of grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior, in consultation with the House and Senate Committees on Appropriations and the President's Committee on the Arts and Humanities.

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, $327,843,000, to remain available until expended, of which $1,800,000 for the Virginia City Historic District and $500,000 for the Fort Osage National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a, of which not to exceed $3,000,000 is for site acquisition for the proposed Morris Thompson Cultural and Visitors Center, to be made available to the Tanana Chiefs Conference under an Annual Funding

Agreement through the Indian Self-Determination and Education Assistance Act, and of which $400,000 is for the Alice Ferguson Foundation for facility upgrade and rehabilitation at the Hard Bargain Farm: Provided, That none of the funds in this or any other Act, may be used to pay the salaries and expenses of more than 160 Full Time Equivalent personnel working for the National Park Service's Denver Service Center funded under the construction program management and operations activity: Provided further, That none of the funds provided in this or any other Act may be used to pre-design, plan, or construct any new facility (including visitor centers, curatorial facilities, administrative buildings), for which appropriations have not been specifically provided if the net construction cost of such facility is in excess of $5,000,000, without prior approval of the House and Senate Committees on Appropriations: Provided further, That this restriction applies to all funds available to the National Park Service, including partnership and fee demonstration projects: Provided further, That the National Park Service may transfer to the City of Carlsbad, New Mexico, funds for the construction of the National Cave and Karst Research Institute to be built and operated in accordance with provisions in Public Law 105–325 and all other applicable laws and regulations. Title to the Institute will be held by the City of Carlsbad.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2003 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

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 administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $172,468,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $98,000,000 is for the State assistance program including $3,000,000 to administer the State assistance program: Provided, That of the amounts provided under this heading, $15,000,000 may be for Federal grants, including Federal administrative expenses, to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: Provided further, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State, or are matched by the State pursuant to the cost-sharing provisions of section 316(b) of Public Law 104–303, and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: Provided further, That none of the funds provided for the State Assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 301 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 226 for police-type use, 10 buses, and 8 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, in fiscal year 2003 and thereafter, sums provided to the National Park Service by private entities for utility services shall be credited to the appropriate account and remain available until expended: Provided, That heretofore and hereafter, in carrying out the work under reimbursable agreements with any State, local or tribal government, the National Park Service may, without regard to 31 U.S.C. 1341 or any other provision of law or regulation, record obligations against accounts receivable from such entities, and shall credit amounts received from such entities to the appropriate account, such credit to occur within 90 days of the date of the original request by the National Park Service for payment.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $925,287,000, of which $64,855,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $15,499,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $8,000,000 shall remain available until expended for satellite operations; and of which $24,623,000 shall be available until September 30, 2004, for the operation and maintenance of facilities and deferred maintenance; and of which $170,926,000 shall be available until September 30, 2004, for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: Provided further, That notwithstanding the provisions of the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301–6308), the U.S. Geological Survey is authorized to continue existing, and hereafter, to enter into new cooperative agreements directed towards a particular cooperator, in support of joint research and data collection activities with Federal, State, and academic partners funded by appropriations herein, including those that provide for space in cooperator facilities.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $165,321,000, of which $83,284,000, shall be available for royalty management activities; and an amount not to exceed $100,230,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $100,230,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $100,230,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: 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 in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service (MMS) concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct

prior unrecoverable erroneous payments: Provided further, That MMS may under the royalty-in-kind pilot program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to filling the Strategic Petroleum Reserve: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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; $105,092,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2003 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $191,745,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2003: Provided further, That of the funds herein provided up to $18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

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 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,857,319,000, to remain available until September 30, 2004 except as otherwise provided herein, of which not to exceed $87,857,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $133,209,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2003, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and up to $2,000,000 shall be for the Indian Self-Determination Fund which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts or cooperative agreements with the Bureau under such Act; and of which not to exceed $447,985,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2003, and shall remain available until September 30, 2004; and of which not to exceed $57,686,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $45,065,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2004, may be transferred during fiscal year 2005 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2005: Provided further, That ISEP contingency funds may be used to cover expenses for negotiated rulemaking required by Public Law 107–110.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $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 not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: 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 tribally controlled grant schools under 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 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 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 standards as required by 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(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes 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 individuals and for necessary administrative expenses, $60,949,000, 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 $5,068,000 shall be available for future water supplies facilities under Public Law 106–163; and of which $31,011,000 shall be available pursuant to Public Laws 99–264, 100–580, 106–263, 106–425, and 106–554: Provided, That of the amount provided for implementation of Public Law 106–263, $3,000,000 for a water rights and habitat acquisition program shall be derived from the Land and Water Conservation Fund.

INDIAN GUARANTEED LOAN 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 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 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, $493,000.

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.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

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 of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to 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, compacts, or cooperative agreements 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 action shall not diminish the Federal 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 access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act'').

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $76,217,000, of which: (1) $70,922,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); 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 Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $5,295,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein 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 Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of 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 improvement of capital infrastructure with territorial 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, 223, 232, and 233 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, 223, 232, and 233 of the Compact of Free Association, $20,985,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of 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 Inspector General, $36,239,000, of which $3,812,000 shall be for procurement by contract of 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

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $141,277,000, to remain available until expended, of which $15,000,000 is for historical accounting: Provided, That 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, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any 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, the Secretary shall not be required 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 $1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express 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 either 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 redetermining 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, $7,980,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $5,538,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing 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 N211S, serial number 20606916, 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

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: 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.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no 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 of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for ''wildland fire operations'' shall be exhausted within 30 days: 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: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

SEC. 106. Annual appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in 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 only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited 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 a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of 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 and reform activities.

SEC. 114. Notwithstanding any other provision of law, the Secretary of the Interior hereafter has ongoing authority to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity, for all or part of the property within Fort Baker administered by the Secretary as part of the Golden Gate National Recreation Area. The proceeds of the agreements or leases or any statutorily authorized fees, hereafter shall be retained by the Secretary and such proceeds shall remain available until expended, without further appropriation, for the preservation, restoration, operation, maintenance, interpretation, public programs, and related expenses of the National Park Service and nonprofit park partners incurred with respect to Fort Baker properties.

SEC. 115. 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 25, United States Code, are deemed 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, governing the appointments 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 appointed 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 pay of General Schedule employees, 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. 116. 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. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 117. 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 as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 118. (a) The Secretary of the Interior shall take such action as may be necessary to

ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106–291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only: (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (2) as a burial ground.

SEC. 119. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement 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. 120. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 121. 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. 122. 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) TRIBALLY CONTROLLED 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. 2511).

(5) DEPARTMENT.—The term ''Department'' means the Department of the Interior.

(6) 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 to provide grants to 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 a grant to each Indian tribe 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 from other than federal funds receives the highest priority for a grant under this section.

(2) GRANT APPLICATIONS.—An application for a grant under the section shall—

(A) include 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 by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

(d) REPORT.—At the conclusion of the five-year demonstration program, the Secretary shall report to Congress as to whether the demonstration program has achieved its purposes of providing additional tribes fair opportunities to construct tribally controlled schools, accelerating construction of needed educational facilities in Indian Country, and permitting additional funds to be provided for the Department's priority list for construction of replacement educational facilities.

SEC. 123. WHITE RIVER OIL SHALE MINE, UTAH. SALE.—Subject to the terms and conditions of section 126 of the Department of the Interior and Related Agencies Act, 2002, 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.

SEC. 124. 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 capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 125. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 126. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 127. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 128. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 129. Notwithstanding any other provision of law, the United States Fish and Wildlife Service may use funds appropriated in this Act for incidental expenses related to promoting and celebrating the Centennial of the National Wildlife Refuge System.

SEC. 130. The National Park Service may in fiscal year 2003 and thereafter enter into a cooperative agreement with and transfer funds to Capital Concerts, a nonprofit organization, for the purpose of carrying out programs pursuant to 31 U.S.C. 6305.

SEC. 131. No later than 30 days after enactment of this Act, the Secretary of the Interior shall provide to the House and Senate Committees on Appropriations and the House Committee on Resources and the Senate Committee on Indian Affairs a summary of the Ernst and Young report on the historical accounting for the five named plaintiffs in Cobell v. Norton. The summary shall not provide individually identifiable financial information, but shall fully describe the aggregate results of the historical accounting.

SEC. 132. None of the funds in this or any other Act for the Department of the Interior or the Department of Justice can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 133. Within 90 days of enactment of this Act the Special Trustee for American Indians, in consultation with the Secretary of the Interior and the Tribes, shall appoint new members to the Special Trustee Advisory Board.

SEC. 134. The Secretary of the Interior may use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 135. Section 124(a) of the Department of the Interior and Related Agencies Appropriation Act, 1997 (16 U.S.C. 1011 (a)), as amended, is further amended by inserting after the phrase ''appropriations made for the Bureau of Land Management'' the phrase ''including appropriations for the Wildland Fire Management account allocated to the National Park Service, Fish and Wildlife Service, and Bureau of Indian Affairs''.

SEC. 136. Public Law 107–106 is amended as follows: in section 5(a) strike ''9 months after the date of enactment of the Act'' and insert in lieu thereof ''September 30, 2003''.

SEC. 137. Notwithstanding any other provision of law, the funds provided in the Labor, Health and Human Services, Education and Related Agencies Appropriations Act of 2002, Public Law 107–116, for the National Museum of African American History and Culture Plan for Action Presidential Commission shall remain available until expended.

SEC. 138. The U.S. Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 139. The visitor center at the Bitter Lake National Wildlife Refuge in New Mexico shall be named for Joseph R. Skeen and, hereafter, shall be referred to in any law, document, or record of the United States as the ''Joseph R. Skeen Visitor Center''.

SEC. 140. In fiscal year 2003 and each fiscal year thereafter, notwithstanding any other provision of law, with respect to a service contract for the provision solely of 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 before the fees are 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. 141. Section 6(f) of Public Law 88–578 as amended shall not apply to LWCF program #02–00010.

SEC. 142. Notwithstanding section 1(d) of Public Law 107–62, the National Park Service is authorized to obligate $1,000,000 made available in fiscal year 2002 to plan the John Adams Presidential memorial in cooperation with non-Federal partners.

SEC. 143. 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 all authorized projects, shall be available for the rehabilitation and improvement of Going-to-the-Sun Road in Glacier National Park.

SEC. 144. Hereafter, the Department of the Interior National Business Center may continue to enter into grants, cooperative agreements, and other transactions, under the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992, and other related legislation.

SEC. 145. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in Sac and Fox Nation v. Norton, 240 F.3d 1250 (2001).

(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, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 146. Section 3(f)(2)(B) of Public Law 99–548 (100 Stat. 3061; 113 Stat. 1501A–168) is amended by striking ''(iv) Sec. 8.'' and inserting the following:

''(iv) Sec. 7.

''(v) Sec. 8.''.

SEC. 147. Not to exceed $650,000 of the funds made available under the heading ''United States Fish and Wildlife Service, Construction'' in Public Law 107–63 for hangar roof replacement at Midway Atoll National Wildlife Refuge, and such sums as may be necessary from ''Departmental Management, Salaries and Expenses'', may be transferred to ''United States Fish and Wildlife Service, Resource Management'' for operational needs at Midway Atoll National Wildlife Refuge.

SEC. 148. Public Law 107–331 is amended in Sections 301(b) and 301(d) by striking the word ''Secretary'' each place it appears and inserting in lieu thereof the word ''Director'', and by striking the text of Section 301(c)(3) and inserting in lieu thereof ''DIRECTOR.—The term 'Director' means the Director of the Institute of Museum and Library Services.''.

SEC. 149. Section 113 of Public Law 104–208 (31 U.S.C. 501 note.) is amended by deleting ''That such fund shall be paid in advance'' and inserting ''That such fund may be paid in advance''.

SEC. 150. HISTORICALLY BLACK COLLEGES AND UNIVERSITIES. (a) DECREASED COST-SHARING REQUIREMENT.—Section 507(c) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 470a note) is amended—

(1) by striking ''(1) Except'' and inserting the following:

''(1) IN GENERAL.—Except'';

(2) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(3) by striking ''(2) The Secretary'' and inserting the following:

''(2) WAIVER.—The Secretary'';

(4) by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (3)''; and

(5) by adding at the end the following:

''(3) EXCEPTION.—The Secretary shall not obligate funds made available under subsection (d)(2) for a grant with respect to a building or structure listed on, or eligible for listing on, the National Register of Historic Places unless the grantee agrees to provide, from funds derived from non-Federal sources, an amount that is equal to 30 percent of the total cost of the project for which the grant is provided.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 507(d) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 470a note) is amended—

(1) by striking ''Pursuant to'' and inserting the following:

''(1) IN GENERAL.—Under''; and

(2) by adding at the end the following:

''(2) ADDITIONAL FUNDING.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated from the Historic Preservation Fund to carry out this section $10,000,000 for each of fiscal years 2003 through 2008.''.

SEC. 151. The document entitled ''Final Environmental Impact Statement for the Renewal of the Federal Grant for the Trans-Alaska Pipeline System Right-of-Way (FEIS)'' dated November 2002, shall be deemed sufficient to meet the requirements of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)) with respect to the determination contained in the Record of Decision dated January 8, 2003 relating to the renewal of the Federal right-of-way for the Trans-Alaska Pipeline and related facilities.

SEC. 152. MISSOURI RIVER. It is the sense of the Congress that the member States and tribes of the Missouri River Basin Association are strongly encouraged to reach agreement on a flow schedule for the Missouri River as soon as practicable for 2003.

SEC. 153. TREATMENT OF ABANDONED MINE RECLAMATION FUND INTEREST. (a) IN GENERAL.—In addition to the transfer provided for in section 402(h) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(h)), interest credited to the fund established by section 401 of such Act (30 U.S.C. 1231) shall be transferred to the Combined Fund identified in section 402(h)(2) up to such amount as is estimated by the trustees of such Combined Fund to offset the amount of any deficit in net assets in the Combined Fund. The cumulative additional amount that may be transferred under this section from the date of enactment of this Act through September 30, 2004 shall not exceed $34,000,000.

(b) PROHIBITION ON OTHER TRANSFERS.—Except as provided in subsection (a), no principal amounts in or credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) may be transferred to the Combined Fund identified in section 402(h)(2) of such Act (30 U.S.C. 1232(h)(2)).

(c) LIMITATION.—This section shall cease to have any force and effect after September 30, 2004.

SEC. 154. Section 511(g)(2)(A) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 410ddd(g)(2)(A)) is amended by striking ''$2,000,000'' and inserting ''$5,000,000''.

SEC. 155. REPLACEMENT OF COASTAL BARRIER RESOURCES SYSTEM MAP. (a) IN GENERAL.—The map described in subsection (b) is replaced, in the maps depicting the Coastal Barrier Resources System that are referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)), by the map entitled ''Plum Tree Island Unit VA–59P, Long Creek Unit VA–60/VA–60P'' and dated May 1, 2002.

(b) DESCRIPTION OF REPLACED MAP.—The map referred to in subsection (a) is the map that—

(1) relates to Plum Island Unit VA–59P and Long Creek Unit VA–60/VA–60P located in Poquoson and Hampton, Virginia; and

(2) is included in a set of maps entitled 'Coastal Barrier Resources System'', dated October 24, 1990, revised on October 23, 1992, and referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)).

(c) AVAILABILITY.—The Secretary of the Interior shall keep the replacement map described in subsection (b) on file and available for inspection in accordance with section 4(b) of the Coastal Barrier Resources Act (16 U.S.C. 3503(b)).

SEC. 156. SENSE OF THE CONGRESS REGARDING SOUTHERN CALIFORNIA OFFSHORE OIL LEASES. (a) FINDINGS.—Congress finds that—

(1) there are 36 undeveloped oil leases on land in the southern California planning area of the outer Continental Shelf that—

(A) have been under review by the Secretary of the Interior for an extended period of time, including some leases that have been under review for over 30 years; and

(B) have not been approved for development under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.);

(2) the oil companies that hold the 36 leases—

(A) have expressed an interest in retiring the leases in exchange for equitable compensation; and

(B) are engaged in settlement negotiations with the Secretary of the Interior for the retirement of the leases; and

(3) it would be a waste of the taxpayer's money to continue the process for approval or permitting of the 36 leases while the Secretary of the Interior and the lessees are negotiating to retire the leases.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that no funds made available by this Act or any other Act for any fiscal year should be used by the Secretary of the Interior to approve any exploration, development, or production plan for, or application for a permit to drill on, the 36 undeveloped leases in the southern California planning area of the outer Continental Shelf during any period in which the lessees are engaged in settlement negotiations with the Secretary of the Interior for the retirement of the leases.

SEC. 157. MODIFIED WATER DELIVERY PROJECT IN THE STATE OF FLORIDA. (a) AUTHORITY.—The Corps of Engineers, using funds made available for modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8), shall immediately carry out alternative 6D (including paying 100 percent of the cost of acquiring land or an interest in 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 Project, Modified Water Deliveries to Everglades National Park, Florida, 8.5 Square Mile Area, General Reevaluation Report and Final Supplemental Environmental Impact Statement'' and dated July 2000.

(b) CONDITION.—

(1) IN GENERAL.—The Corps of Engineers may only acquire real property used as a residence for the purpose of carrying out the project described in subsection (a) if the Corps of Engineers or the non-Federal sponsor first offers the owner of such real property comparable real property within the part of the 8.5 square mile area that will be provided flood protection under such project. This paragraph does not affect the authority of the Corps of Engineers to acquire property for which this condition has been met or to which this condition does not apply.

(2) AUTHORITY TO ACQUIRE LAND AND PROVIDE ASSISTANCE.—The Corps of Engineers is authorized to acquire such land in the flood protected portion of the 8.5 square mile area from willing sellers, and provide such financial assistance, as may be necessary to carry out this subsection.

(3) FUNDING.—The Corps of Engineers and the non-Federal sponsor may carry out this subsection with funds made available to carry out the project described in subsection (a) and funds provided by the Department of the Interior for land acquisition assistance for Everglades restoration purposes.

SEC. 158. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 159. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), the total amount of all fees imposed by the National Indian Gaming Commission for fiscal year 2004 shall not exceed $12,000,000.

SEC. 160. MOCCASIN BEND NATIONAL ARCHEOLOGICAL DISTRICT ACT. (a) SHORT TITLE.—This section may be cited as the ''Moccasin Bend National Archeological District Act''.

(b) DEFINITIONS.—As used in this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) ARCHEOLOGICAL DISTRICT.—The term ''archeological district'' means the Moccasin Bend National Archeological District.

(3) STATE.—The term ''State'' means the State of Tennessee.

(4) MAP.—The term ''Map'' means the map entitled, ''Boundary Map Moccasin Bend National Archeological District'', numbered 301/80098, and dated September 2002.

(c) ESTABLISHMENT.—

(1) IN GENERAL.—In order to preserve, protect, and interpret for the benefit of the public the nationally significant archeological and historic resources located on the peninsula known as Moccasin Bend, Tennessee, there is established as a unit of Chickamauga and Chattanooga National Military Park, the Moccasin Bend National Archeological District.

(2) BOUNDARIES.—The archeological district shall consist of approximately 780 acres generally depicted on the Map. The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(3) ACQUISITION OF LAND AND INTERESTS IN LAND.—

(A) IN GENERAL.—The Secretary may acquire by donation, purchase from willing sellers using donated or appropriated funds, or exchange, lands and interests in lands within the exterior boundary of the archeological district. The Secretary may acquire the State, county and city-owned land and interests in land for inclusion in the archeological district only by donation.

(B) EASEMENT OUTSIDE BOUNDARY.—To allow access between areas of the archeological district that on the date of the enactment of this section are noncontiguous, the Secretary may acquire by donation or purchase from willing owners using donated or appropriated funds, or exchange, easements connecting the areas generally depicted on the Map.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The archeological district shall be administered by the Secretary in accordance with this section, with laws applicable to Chickamauga and Chattanooga National Military Park, and with the laws generally applicable to units of the National Park System.

(2) COOPERATIVE AGREEMENT.—The Secretary may consult and enter into cooperative agreements with culturally affiliated federally recognized Indian tribes, governmental entities, and interested persons to provide for the restoration, preservation, development, interpretation, and use of the archeological district.

(3) VISITOR INTERPRETIVE CENTER.—For purposes of interpreting the historical themes and cultural resources of the archeological district, the Secretary may establish and administer a visitor center in the archeological district.

(4) GENERAL MANAGEMENT PLAN.—Not later than three years after funds are made available under this section, the Secretary shall develop a general management plan for the archeological district. The general management plan shall describe the appropriate protection and preservation of natural, cultural, and scenic resources, visitor use, and facility development within the archeological district consistent with the purposes of this section, while ensuring continued access by private landowners to their property.

(e) REPEAL OF PREVIOUS ACQUISITION AUTHORITY.—The Act of August 3, 1950 (Chapter 532; 16 U.S.C. 424a–4) is repealed.

SEC. 161. Section 6 of Public Law 102–495 (106 Stat. 3173) is amended by removing subsections 6(b) and (c) in their entirety and substituting the following:

''(b) LANDS TRANSFER TO THE LOWER ELWHA KLALLAM TRIBE.—Subject to valid existing rights, all right, title, and interest of the United States in and to the following described land, consisting of 1.7 acres, more or less, situated in the County of Clallam, State of Washington, are hereby conveyed to the Lower Elwha Klallam Indian Tribe: the parcel lying south of the existing roadway and extending southward to the Inner Harbor line of the Port Angeles Tidelands, and beginning at the north-south line 1,106 feet west of the eastern boundary of Out Lot 6 and running easterly 1,671 feet to the north-south line 565 feet east of the eastern boundary of Out Lot 6, to be further described on a detailed legal description and map filed later with the Oregon/Washington Office of the Bureau of Land Management. Said legal description and map shall be provided by the tribe, at its cost and expense, within ninety (90) days of the enactment of this Act. This conveyance shall be subject to the following provisions:

''(1) There shall be public access to the beach along the south side of the parcel at all times.

''(2) The City of Port Angeles shall have the right to construct and maintain a waterfront trail adjacent to the existing roadway along the north side of the parcel, the location of which shall be determined in conjunction with the Secretary.

''(3) Parking facilities on the parcel shall be open to the public at all times.

''(4) The Agreement entered into on August 11, 1992, between the City of Port Angeles and the Tribe regarding the use of the adjacent leaseholds.

''(5) Easements shall be are hereby reserved in favor of the United States upon, over, under, through, and across the lands conveyed under this section allowing the United States, its successors, assigns, and agents, unrestricted and uninterrupted access to any adjoining lands owned or controlled by the United States, including but not limited to, the U.S. Coast Guard Air Station located on Ediz Hook, and allowing the United States, its successors, assigns, and agents, to install, construct, operate, maintain, repair, and replace utility lines and other related equipment upon, over, under, through, and across the lands conveyed under this section in order to operate said air station or to conduct any other Federal mission, operation, or activity upon lands owned or controlled by the United States.

''(6) A navigation easement shall be hereby reserved in favor of the United States over the lands conveyed under this section for the continued aircraft operations at the adjacent U.S. Coast Guard Air Station on Ediz Hook. Said navigation easement shall be based on the Federal Aviation Administration (FAA) standards contained in FAA Advisory Circular 150/5390–2A, ''Heliport Design,'' dated January 20, 1994. In any event, the Lower Elwha Klallam Indian Tribe shall not construct any building or structure that intrudes into navigable airspace, as defined in FAA regulations.''.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $251,685,000, 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 including treatments of pests, pathogens and invasive or noxious plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $286,574,000, to remain available until expended, as authorized by law: Provided, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific acquisition of lands or interests in lands to be undertaken with such funds: Provided further, That each forest legacy grant shall be for a specific project or set of specific tasks: Provided further, That grants for acquisition of lands or conservation easements shall require that the State demonstrates that 25 percent of the total value of the project is comprised of a non-Federal cost share: Provided further, That funds provided in this Act and in Public Laws 106–113, 106–291, and 107–63, for the West Branch Forest Legacy Project in the State of Maine, consisting of at least 45,000 acres of fee simple purchase and at least 275,000 acres in a conservation easement, that have not been expended by January 31, 2004, shall be transferred to the Wildland Fire Management account and shall be available to perform rehabilitation and restoration activities: Provided further, That notwithstanding any other provision of law, of the funds provided under this heading, $1,000,000 shall be made available to Kake Tribal Corporation as an advance direct lump sum payment to implement the Kake Tribal Corporation Land Transfer Act (Public Law 106–283).

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,362,299,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That unobligated balances available at the start of fiscal year 2003 shall be displayed by budget line item in the fiscal year 2004 budget justification: Provided further, That the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands: Provided further, That of the funds provided under this heading for Forest Products, $4,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to maximize accomplishment: Provided further, That within funds available for the purpose of implementing the Valles Caldera Preservation Act, notwithstanding the limitations of section 107(e)(2) of the Valles Caldera Preservation Act (Public Law 106–248), for fiscal year 2003, the Chair of the Board of Trustees of the Valles Caldera Trust may receive, upon request, compensation for each day (including travel time) that the Chair is engaged in the performance of the functions of the Board, except that compensation shall not exceed the

daily equivalent of the annual rate in effect for members of the Senior Executive Service at the ES–1 level, and shall be in addition to any reimbursement for travel, subsistence and other necessary expenses incurred by the Chair in the performance of the Chair's duties.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuel reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,379,938,000, to remain available until expended: Provided, That such funds including unobligated balances under this head, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2002 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): Provided further, That notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for the Joint Fire Science Program: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazard reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: Provided further, That of the funds provided, $228,109,000 is for hazardous fuel treatment, $7,124,000 is for rehabilitation and restoration, $1,850,000 is for capital improvement and maintenance of fire facilities, $21,427,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $46,555,000 is for state fire assistance, $8,240,000 is for volunteer fire assistance, $16,934,000 is for forest health activities on State, private, and Federal lands, and $5,000,000 is for economic action programs: Provided further, That amounts in this paragraph may be transferred to the ''State and Private Forestry'', ''National Forest System'', ''Forest and Rangeland Research'', and ''Capital Improvement and Maintenance'' accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: Provided further, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105–163: 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 grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriations, up to $15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: Provided further, That included in funding for hazardous fuel reduction is $5,000,000 for implementing the Community Forest Restoration Act, Public Law 106–393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: Provided further, That in expending the funds provided with respect to this Act for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts: Provided further, That notwithstanding Federal Government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments, rehabilitation and restoration, and other activities authorized under this heading on and adjacent to Federal lands using grants and cooperative agreements: Provided further, That notwithstanding Federal Government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to local private, nonprofit, or cooperative entities; Youth Conservation Corps crews or related partnerships, with State, local and non-profit youth groups; small or micro-businesses; or other entities that will hire or train a significant percentage of local people to complete such contracts: Provided further, That the authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $552,039,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning 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 and generation facility: Provided further, That notwithstanding any provision of law, funds provided for construction of facilities at Purdue University in Indiana in this Act, in the amount of $1,700,000 shall be available to the University, and $1,000,000 provided in this Act for construction of facilities in Cordova, Alaska shall be available to the city.

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. 460l–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, $133,815,000 to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That from amounts previously appropriated under this heading for the acquisition of lands in the Tongass National Forest, $350,000 shall be provided as an advance direct lump sum payment to the City of Juneau for the acquisition of 10.5 acres of land in Southeastern Alaska for a wild bird rehabilitation clinic and nature education center.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San 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 public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), and for authorized expenditures from funds deposited by non-federal parties pursuant to related Land Sale and Exchange Acts, 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)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses 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) 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 replacement; 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 for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 195 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000

for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading ''Wildland Fire Management'' have been released by the President and apportioned and all funds under the heading ''Wildland Fire Management'' are obligated.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report No. 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

No funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture that exceed the total amount transferred during fiscal year 2000 for such purposes without the advance approval of the House and Senate Committees on Appropriations.

Funds available to the Forest Service shall be available to conduct a program of not less than $2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps.

Of the funds available to the Forest Service, $2,500 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private 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: Provided further, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $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 on or benefitting 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, private contributions to match on at least one-for-one basis funds advanced 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 interactions with and 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 prioritization shall be accomplished by 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(a)(2) of Public Law 99–663.

For fiscal years 2003 through 2007, 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 public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service 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 a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $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 assistance or participation requested by 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 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.

The Secretary of Agriculture may authorize the sale of excess buildings, facilities, and other properties owned by the Forest Service and located on the Green Mountain National Forest, the revenues of which shall be retained by the Forest Service and available to the Secretary without further appropriation and until expended for maintenance and rehabilitation activities on the Green Mountain National Forest.

The Secretary of Agriculture may transfer or reimburse funds available to the Forest Service, not to exceed $15,000,000, to the Secretary of the Interior or the Secretary of Commerce to expedite conferencing and consultations as required under section 7 of the Endangered Species Act, 16 U.S.C. 1536. The amount of the transfer or reimbursement shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or Secretary of Commerce, as applicable, or their designees. The amount shall in no case exceed the actual costs of consultation and conferencing.

Beginning on June 30, 2001 and concluding on December 31, 2003, an eligible individual who is employed in any project funded under Title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $87,000,000 shall not be available until October 1, 2003: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $624,900,000, to remain available until expended, of which $4,000,000 is to continue a multi-year project for construction, renovation, furnishing, and demolition or removal of buildings at National Energy Technology Laboratory facilities in Morgantown, West Virginia and Pittsburgh, Pennsylvania; and of which $150,000,000 are to be made available, after coordination with the private sector, for a request for proposals for a Clean Coal Power Initiative providing for competitively-awarded research, development, and demonstration projects to reduce the barriers to continued and expanded coal use: Provided, That no project may be selected for which sufficient funding is not available to provide for the total project: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained under the

heading ''Clean Coal Technology'' in prior appropriations: Provided further, That the Department may include provisions for repayment of Government contributions to individual projects in an amount up to the Government contribution to the project on terms and conditions that are acceptable to the Department including repayments from sale and licensing of technologies from both domestic and foreign transactions: Provided further, That such repayments shall be retained by the Department for future coal-related research, development and demonstration projects: Provided further, That any technology selected under this program shall be considered a Clean Coal Technology, and any project selected under this program shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. §7651n, and Chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,831,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling installment payments under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $36,000,000, to become available on October 1, 2003 for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $897,603,000, to remain available until expended: Provided, That $270,000,000 shall be for use in energy conservation grant programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $225,000,000 for weatherization assistance grants and $45,000,000 for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,487,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $172,856,000, to remain available until expended.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION)

For the acquisition and transportation of petroleum and for other necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $7,000,000, to remain available until expended: Provided, That from unobligated balances of prior year appropriations, an amount of $5,000,000 is rescinded.

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operations, and management activities pursuant to the Energy Policy and Conservation Act of 2000, $6,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $80,611,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

From appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.

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, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,492,115,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $460,130,000 for contract medical care shall remain available for obligation until September 30, 2004: Provided further, That contract medical care funds appropriated heretofore and hereafter for tribes recognized after January 1, 1995, may be used to provide medical services directly or through contract medical care: Provided further, That of the funds provided, up to $25,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2004: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $270,734,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, 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 of 1975, 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 self-determination contracts, grants, self-governance compacts or annual funding agreements: Provided further, That funds appropriated under the Special Diabetes Program for Indians (42 U.S.C. 254c–3(c)) for fiscal year 2003 and thereafter for the purpose of making grants shall remain available until expended: Provided further, That notwithstanding any other provision of law, contributions authorized by 10 U.S.C. 1111 for the Uniformed Service of the Public Health Service shall be paid in fiscal year 2003 and thereafter from the Department of Health and Human Services' Retirement Pay and Medical Benefits for Commissioned Officers account without charges billed to the Indian Health Service: Provided further, That heretofore and hereafter the provisions of 10 U.S.C. 1116 shall not apply to the Indian Health Service: Provided further, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: Provided further, That of the amounts provided for Indian Health Services, $15,000,000 is provided to the Alaska Federation of Natives for alcohol control, prevention, treatment, sobriety and wellness, of which at least $100,000 shall be available for an independent third party to conduct an evaluation of the program and $5,000,000 shall be available to the Alaska Native Tribal Health Consortium for substance abuse and behavioral health counselors through the Counselor in Every Village Program: Provided further, That no more than 10 percent may be used by any entity receiving funding for

administrative overhead including indirect costs: Provided further, That prior to the release of funds to a regional Native non-profit entity, it must enter into an agreement with the regional Native health corporation on allocation of resources to avoid duplication of effort and to foster cooperation.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (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 with respect to environmental health and facilities support activities of the Indian Health Service, $376,190,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That from the funds appropriated herein, $5,000,000 shall be designated by the Indian Health Service as a contribution to the Yukon-Kuskokwim Health Corporation (YKHC) to continue a priority project for the acquisition of land, planning, design and construction of 79 staff quarters in the Bethel service area, pursuant to the negotiated project agreement between the YKHC and the Indian Health Service: Provided further, That this project shall not be subject to the construction provisions of the Indian Self-Determination and Education Assistance Act and shall be removed from the Indian Health Service priority list upon completion: Provided further, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: Provided further, That the land shall be owned or leased by the YKHC and 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 TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the U.S. Department of Housing and Urban Development: Provided further, That not to exceed $1,000,000 from this account and the ''Indian Health Services'' account 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 not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That notwithstanding the provisions of title III, section 306, of the Indian Health Care Improvement Act (Public Law 94–437, as amended), construction contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the IHS is authorized to improve municipal, private, or tribal lands, and that at no time, during construction or after completion of the project will the Federal Government have any rights or title to any real or personal property acquired as a part of the contract: Provided further, That notwithstanding any other provision of law or regulation, for purposes of acquiring sites for a new clinic and staff quarters in St. Paul Island, Alaska, the Secretary of Health and Human Services may accept 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 under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, 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 law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended.

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.

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 reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such 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 of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

Funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received 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 will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by 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 used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or 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 relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $5,490,000, of which $1,000,000 shall remain available until expended for construction of the Library Technology Center.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, 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, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $463,205,000, of which not to exceed $53,634,000 for the instrumentation program, collections acquisition, exhibition reinstallation, security improvements, the National Museum of the American Indian, and the repatriation of skeletal remains program shall remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official

Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building: Provided further, That from unobligated balances of prior year appropriations, an amount of $14,100,000 is rescinded.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of maintenance, repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, including necessary personnel, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), $83,425,000, to remain available until expended, of which $18,875,000 is provided for maintenance, repair, rehabilitation and alteration of facilities at the National Zoological Park, and of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109: Provided, That contracts awarded for environmental systems, protection systems, and 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 and renovation of the Patent Office Building may be issued which includes the full scope of the project: Provided further, That the solicitation of the contract and the contract shall contain the clause ''availability of funds'' found at 48 C.F.R. 52.232–18.

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.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without approval from the Board of Regents of recommendations received from the Science Commission.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance written approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105–163.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $77,219,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $16,230,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation 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, $16,310,000.

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, $17,600,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $8,488,000.

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, $116,489,000, shall 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 and ''Challenge America'' account may be transferred to and merged with this account.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $109,632,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $16,122,000, to remain available until expended, of which $10,436,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in 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 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant making purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission 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 its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956(a)), as amended, $7,000,000.

ADMINISTRATIVE PROVISION

None of the funds appropriated in this or any other Act, except funds appropriated to the Office of Management and Budget, shall be available to study the alteration or transfer of the National Capital Arts and Cultural Affairs program.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $3,667,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

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

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $38,663,000, 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

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $21,327,000 shall be available to the Presidio Trust, to remain available until expended.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 303. 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. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 306. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which 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. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2003, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified 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 a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 308. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, and 107–63 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2002 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 309. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual 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, except 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 direct grant recipient. Nothing in this subsection shall prohibit 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. 310. 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 paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 311. (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, productions, workshops, or programs 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(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by 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, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) 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 shall establish 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 Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

SEC. 312. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 313. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 314. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers.

SEC. 315. Notwithstanding any other provision of law, for fiscal year 2003 the Secretaries of Agriculture 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 that have been affected by reduced timber harvesting on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurements which create economic opportunities for local contractors.

SEC. 316. 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. 843; 16 U.S.C. 501), 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 biological integrity. The projects may be completed in a subsequent fiscal year. Funds 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 exempt any project from any environmental law.

SEC. 317. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core

business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 318. 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. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2003, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, all of the western redcedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in fiscal year 2003, less than the annual average portion of the decadal allowable sale quantity called for in the Tongass Land Management Plan in sales which are not 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 prevailing domestic prices in the contiguous 48 United States shall be that volume: (i) which is surplus to the needs of domestic processors in Alaska, and (ii) is that percent of the surplus western redcedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for 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 awarded). 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 value stated in the contract. All additional western redcedar volume not sold to Alaska or contiguous 48 United States 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. 319. 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 commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. 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 Secretary for operation 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 agency; or

(C) the agency revokes the permit for noncompliance with the terms and conditions of the authorization.

In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.

SEC. 320. Prior to October 1, 2003, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 321. Until September 30, 2005, the authority of the Secretary of Agriculture to enter into an agreement under the first section of Public Law 94–148 (16 U.S.C. 565a–1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities. An agreement entered into under this section shall not be subject to Public Law 95–224, Federal Grant and Cooperative Agreement Act (1977).

SEC. 322. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 323. Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note), is amended—

(1) in subsection (a), by striking ''September 30, 2004'' and all that follows and inserting ''September 30, 2013, the Forest Service and the Bureau of Land Management, via agreement or contract as appropriate, may enter into stewardship contracting projects with private persons or other public or private entities to perform services to achieve land management goals for the national forests and the public lands that meet local and rural community needs.'';

(2) in subsection (b)(4)—

(A) by striking ''noncommercial cutting or removing of trees'' and inserting ''removing vegetation''; and

(B) by striking ''non-commercial objectives'' and inserting ''land management objectives'';

(3) in subsection (c), by adding at the end a new paragraph as follows:

''(5) CONTRACTING OFFICER.—Notwithstanding any other provision of law, the Secretary of Agriculture or the Secretary of the Interior may determine the appropriate contracting officer to enter into and administer an agreement or contract under subsection (a).'';

(4) in subsections (c)(3), (d), (f), and (g), by inserting ''and the Bureau of Land Management'' after ''Forest Service'' each place it appears;

(5) in the section heading, by striking ''DEMONSTRATION PROJECT'' and inserting ''PROJECTS'';

(6) in subsections (d)(2) and (f)(2)(B), by striking ''demonstration'' each place it appears;

(7) in subsection (d)(3), by striking ''the Secretary'' both places it appears and inserting ''the Forest Service or the Bureau of Land Management'' and by inserting ''or the public lands'' after ''National Forest System''; and

(8) in subsection (g), by striking ''each individual stewardship pilot project'' and inserting ''the stewardship contracting projects''.

SEC. 324. TECHNICAL CORRECTION RELATED TO CABIN USER FEES.—Section 608(b)(2) of the Cabin User Fee Fairness Act of 2000 (16 U.S.C. 6207(b)(2); Public Law 106–291) is amended by striking ''value influences'' and inserting in lieu thereof ''criteria'' and striking ''section 606(b)(3)'' and inserting in lieu thereof ''section 606(b)(2)''.

SEC. 325. EXTENSION OF FOREST SERVICE CONVEYANCES PILOT PROGRAM.—Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107–63) is amended—

(1) in subsection (b), by striking ''10'' and inserting ''20'';

(2) in subsection (c) by inserting at the end of the subsection ''Additionally, proceeds from the sale of conveyances on no more than 3 sites shall be available for construction of replacement facilities.''; and

(3) in subsection (d), by striking ''2005'' and inserting ''2006''.

SEC. 326. Employees of the foundations established by Acts of Congress to solicit private sector funds on behalf of Federal land management agencies shall, in fiscal year 2004, qualify for General Service Administration contract airfares.

SEC. 327. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are fighting fires. The Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country. When an agreement is reached for furnishing fire fighting 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 firefighter shall be subject to any action whatsoever pertaining to or arising out of fighting fires.

SEC. 328. A grazing permit or lease 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 expires, is transferred, or waived during 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. 1752), section 19 of the Granger-Thye Act, as amended (16 U.S.C. 580l), title III of 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. 410aaa–50). 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 Secretary of Agriculture as appropriate completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease 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 deemed 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 renewed an expired or waived grazing permit prior to or during fiscal year 2003 under the authority of section 504 of the Rescissions Act of 1995 (Public Law 104–19), the terms and conditions of the renewed grazing

permit shall remain in effect until such time as the Secretary of Agriculture completes processing of the renewed permit in compliance with all applicable laws and regulations or until the expiration of the renewed permit, whichever comes first. Upon completion of the processing, the permit may be canceled, suspended or modified, in whole or in part, to meet the requirements of applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary of Agriculture's statutory authority.

SEC. 329. Notwithstanding any other provision of law or regulation, to promote the more efficient use of the health care funding allocation for fiscal year 2003, the Eagle Butte Service Unit of the Indian Health Service, at the request of the Cheyenne River Sioux Tribe, may pay base salary rates to health professionals up to the highest grade and step available to a physician, pharmacist, or other health professional and may pay a recruitment or retention bonus of up to 25 percent above the base pay rate.

SEC. 330. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 331. PROHIBITION OF OIL AND GAS DRILLING IN THE FINGER LAKES NATIONAL FOREST, NEW YORK.—None of the funds in this Act may be used to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2003.

SEC. 332. None of the funds made available in this Act may be used for the planning, design, or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the Committees on Appropriations.

SEC. 333. In awarding a Federal Contract with funds made available by this Act, the Secretary of Agriculture and the Secretary of the Interior (the ''Secretaries'') may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically 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 or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: Provided further, That the terms ''rural community'' and ''economically disadvantaged'' shall 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 nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 334. Section 401(e)(4)(B) of Public Law 105–83 is amended after ''Not more than'' by striking ''5 percent'' and inserting ''15 percent''.

SEC. 335. The Record of Decision for the 2003 Supplemental Environmental Impact Statement for the 1997 Tongass Land Management Plan shall not be reviewed under any Forest Service administrative appeal process, and its adequacy shall not be subject to judicial review by any court of the United States.

SEC. 336. Section 7(c) of Public Law 106–143 is amended by striking ''2001'' and inserting ''2004''.

SEC. 337. CLARIFICATION OF ALASKA NATIVE SETTLEMENT TRUSTS. (a) Section 1629b of title 43, United States Code, is amended—

(1) at subsection (d)(1) by striking ''An'' and inserting in its place ''Except as otherwise set forth in subsection (d)(3) of this section, an'';

(2) by creating the following new subsection:

''(d)(3) A resolution described in subsection (a)(3) of this section shall be considered to be approved by the shareholders of a Native Corporation if it receives the affirmative vote of shares representing—

''(A) a majority of the shares present or represented by proxy at the meeting relating to such resolution, or

''(B) an amount of shares greater than a majority of the shares present or represented by proxy at the meeting relating to such resolution (but not greater than two-thirds of the total voting power of the corporation) if the corporation establishes such a level by an amendment to its articles of incorporation.'';

(3) by creating the following new subsection:

''(f) SUBSTANTIALLY ALL OF THE ASSETS.—For purposes of this section and section 1629e of this title, a Native Corporation shall be considered to be transferring all or substantially all of its assets to a Settlement Trust only if such assets represent two-thirds or more of the fair market value of the Native Corporation's total assets.''.

(b) Section 1629e(a)(3) of title 43, United States Code, is amended by striking subparagraph (B) and inserting in its place the following:

''(B) shall give rise to dissenters rights to the extent provided under the laws of the State only if—

''(i) the rights of beneficiaries in the Settlement Trust receiving a conveyance are inalienable; and

''(ii) a shareholder vote on such transfer is required by (a)(4) of section 1629b of this title.''.

SEC. 338. Congress reaffirms its original intent that the Herger-Feinstein Quincy Library Group Forest Recovery Act of 1998 be implemented, and hereby extends the expiration of the Quincy Library Group Act by 5 years.

SEC. 339. AMENDMENT TO TITLES I AND II OF THE ENERGY POLICY AND CONSERVATION ACT. (a) Title I of the Energy Policy and Conservation Act (42 U.S.C. 6231–6247b) is amended—

(1) by amending section 166 (42 U.S.C. 6246) to read as follows:

''SEC. 166. There are authorized to be appropriated such sums as may be necessary to implement this part, to remain available until expended.'';

(2) in section 186 (42 U.S.C. 6250e), by striking ''for fiscal years 2001, 2002, and 2003''; and

(3) in section 191 (42 U.S.C. 6251), by striking ''September 30, 2003'' each time it appears and inserting ''September 30, 2008''.

(b) Title II of the Energy Policy and Conservation Act (42 U.S.C. 6211–6251) is amended—

(1) by amending section 256(h) (42 U.S.C. 6276) to read as follows:

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to implement this part, to remain available until expended.''; and

(2) in section 281 (42 U.S.C. 6285), by striking ''September 30, 2003'' each time it appears and inserting ''September 30, 2008''.

SEC. 340. No funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

SEC. 341. DESIGNATION OF PANTHERTOWN VALLEY TRACT OF NANTAHALA NATIONAL FOREST, JACKSON COUNTY, NORTH CAROLINA, IN HONOR OF JAMES AND ELSPETH MCCLURE CLARKE. The portion of the Nantahala National Forest in Jackson County, North Carolina, known as the Panthertown Valley tract and consisting of approximately 6,294 acres is hereby designated as the ''James and Elspeth McClure Clarke Forest'' in honor of James and Elspeth McClure Clarke.

TITLE IV—T'UF SHUR BIEN PRESERVATION TRUST AREA

SEC. 401. SHORT TITLE.

This title may be cited as the ''T'uf Shur Bien Preservation Trust Area Act''.

SEC. 402. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) in 1748, the Pueblo of Sandia 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, the Pueblo filed 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 (Civil No. 1:94CV02624), asserting that 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 the civil action referred to in subsection (a)(2) and the opinions of the Solicitor of the Department of the Interior dated December 9, 1988 (M–36963; 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.

SEC. 403. DEFINITIONS.

In this title:

(1) 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) Pueblo-owned land;

(iii) the crest facilities; or

(iv) the special use permit area.

(2) 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 Sandia 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 Kiwanis 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 west 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.

(3) EXISTING USE.—The term ''existing 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, 1995, but before the date of enactment of this Act.

(4) 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.

(5) 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).

(6) MAP.—The term ''map'' means the Forest Service map entitled ''T'uf Shur Bien Preservation Trust Area'' and dated April 2000.

(7) 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 reconfigured 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.

(8) 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.).

(9) 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.

(10) PUEBLO.—The term ''Pueblo'' means the Pueblo of Sandia in its governmental capacity.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(12) 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.

(13) 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

(14) 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;

(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—

(I) the maintenance road to the lower tram tower;

(II) water storage and water distribution facilities; and

(III) 7 helispots.

(15) SUBDIVISION.—The term ''subdivision'' means—

(A) the subdivision of—

(i) Sandia Heights Addition;

(ii) Sandia Heights North Unit I, II, or 3;

(iii) Tierra Monte;

(iv) Valley View Acres; or

(v) Evergreen Hills; and

(B) any additional plat or privately-owned property depicted on the map.

(16) 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) the 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 section 405(a);

(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 LAW.—

(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 authorized to use the Area by the Pueblo under section 405(a)(4) shall not be restricted except by—

(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; and

(B) applicable Federal wildlife protection laws, as provided in section 406(a)(2).

(3) LATER ENACTMENTS.—To the extent that any law enacted or amended after the date of enactment of this Act is inconsistent with this title, the law shall not apply to the Area unless expressly made applicable by Congress.

(4) TRUST.—The use of the word ''Trust'' in the name of the Area—

(A) is in recognition of the specific rights and interests of the Pueblo in the Area; and

(B) does not confer on the Pueblo the ownership interest that exists in a case in which the Secretary of the Interior accepts the title to land held in trust for the benefit of an Indian tribe.

(c) MAP.—

(1) FILING.—As soon as practicable after the date of enactment of this Act, the Secretary shall file the map and a legal description of the Area with the Committee on Resources of the House of Representatives and with the Committee on Energy and Natural Resources of the Senate.

(2) PUBLIC AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Washington, District of Columbia.

(3) EFFECT.—The map and legal description filed under paragraph (1) shall have the same effect as if the map and legal description were included in this title, except that—

(A) technical and typographical errors shall be corrected;

(B) changes that may be necessary under subsection (b), (d), or (e) of section 409 or subsection (b) or (c) of section 413 shall be made; and

(C) to the extent that the map and the language of this title conflict, the language of this title shall control.

(d) NO CONVEYANCE OF TITLE.—No right, title, or interest of the United States in or to the Area or any part of the Area shall be conveyed to or exchanged with any person, trust, or governmental entity, including the Pueblo, without specific authorization of Congress.

(e) PROHIBITED USES.—

(1) IN GENERAL.—Notwithstanding any other provision of law—

(A) no use prohibited by the Wilderness Act (16 U.S.C. 1131 et seq.) as of the date of enactment of this Act shall be permitted in the wilderness portion of the Area; and

(B) none of the following uses shall be permitted in any portion of the Area:

(i) Gaming or gambling.

(ii) Mineral production.

(iii) Timber production.

(iv) Any new use to which the Pueblo objects under section 405(a)(3).

(2) MINING CLAIMS.—The Area is closed to the location of mining claims under section 2320 of the Revised Statutes (30 U.S.C. 23) (commonly known as the ''Mining Law of 1872'').

(f) NO MODIFICATION OF BOUNDARIES.—Establishment of the Area shall not—

(1) affect the boundaries of or repeal 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 or withhold consent to a new use;

(B) the right to consultation regarding a modified use;

(C) the right to consultation regarding the management and preservation of the Area; and

(D) the right to dispute resolution procedures.

(4) Exclusive authority, in accordance with the customs and laws of the Pueblo, to administer access to the Area for traditional or cultural uses by members of the Pueblo and of other federally-recognized Indian tribes.

(5) Such other rights and interests as are recognized in sections 404, 405(c), 407, 408, and 409.

(b) ACCESS.— Except as provided in subsection (a)(4), access to and use of the Area for all other purposes shall continue to be administered by the Secretary.

(c) COMPENSABLE INTEREST.—

(1) IN GENERAL.—If, by an Act of Congress enacted after the date of enactment of this Act, Congress diminishes the national forest or wilderness designation of the Area by authorizing a use prohibited by section 404(e) in all or any portion of the Area, or denies the Pueblo access for any traditional or cultural use in all or any portion of the Area—

(A) the United States shall compensate the Pueblo as if the Pueblo held a fee title interest in the affected portion of the Area and as though the United States had acquired such an interest by legislative exercise of the power of eminent domain; and

(B) the restrictions of sections 404(e) and 406(a) shall be disregarded in determining just compensation owed to the Pueblo.

(2) EFFECT.—Any compensation made to the Pueblo under paragraph (c) shall not affect the extinguishment of claims under section 410.

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 exemption from applicable Federal wildlife protection laws;

(3) any right to engage in a use prohibited by section 404(e); or

(4) any right to exclude persons or governmental entities from the Area.

(b) EXCEPTION.—No person who exercises traditional or cultural use rights as authorized by section 405(a)(4) may be prosecuted for a Federal wildlife offense requiring proof of a violation of a State law (including regulations).

SEC. 407. MANAGEMENT OF THE AREA.

(a) PROCESS.—

(1) IN GENERAL.—The Secretary shall consult with the Pueblo not less than twice each year, unless otherwise mutually agreed, concerning protection, preservation, and management of the Area (including proposed new uses and modified uses in the Area and authorizations that are anticipated during the next 6 months and were approved in the preceding 6 months).

(2) NEW USES.—

(A) REQUEST FOR CONSENT AFTER CONSULTATION.—

(i) DENIAL OF CONSENT.—If the Pueblo denies consent for a new use within 30 days after completion of the consultation process, the Secretary shall not proceed with the new use.

(ii) GRANTING OF CONSENT.—If the Pueblo consents to the new use in writing or fails to respond within 30 days after completion of the consultation process, the Secretary may proceed with the 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 again request the consent of the Pueblo.

(ii) DENIAL OF CONSENT.—If the Pueblo denies consent for a new use within 30 days after receipt by the Pueblo 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 consent request within 30 days after receipt of the proposed record of decision or decision notice—

(I) the Pueblo shall be deemed to have consented to the proposed record of decision or decision notice; and

(II) 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 civil 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.

(b) EMERGENCIES AND EMERGENCY CLOSURE ORDERS.—

(1) AUTHORITY.—The Secretary shall retain the authority of the Secretary to manage emergency situations, to—

(A) provide for public safety; and

(B) issue emergency closure orders in the Area subject to applicable law.

(2) NOTICE.—The Secretary shall notify the Pueblo regarding emergencies, public safety issues, and emergency closure orders as soon as practicable.

(3) NO CONSENT.—An action of the Secretary described in paragraph (1) shall not require the consent of the Pueblo.

(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 process specified in subsection (a)(2), the process for dispute resolution specified in this subsection shall apply.

(2) DISPUTE RESOLUTION PROCESS.—

(A) IN GENERAL.—In the 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; and

(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 within 3 days—

(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) JURISDICTION 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 described 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 the respective 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 offense 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 exercised 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 civil adjudicatory jurisdiction over—

(i) a dispute involving only members of the Pueblo;

(ii) a civil action brought by the Pueblo against a member of the Pueblo; and

(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 no 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 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 or trapping is related to 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 25 of T12N, R4E, and section 19 of 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 weapons and proximity of 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 authorized to use the Area under section 405(a)(4).

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 laws 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 Evergreen 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) APPLICABILITY OF CERTAIN RESTRICTION.—The restriction contained in section 406(a)(4) shall not apply outside of Forest Service System trails.

(c) CREST FACILITIES.—

(1) IN GENERAL.—The land on which the crest facilities are located is excluded from the Area.

(2) JURISDICTION.—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 on which the crest facilities are located and property interests therein, and the laws of the Pueblo, shall not apply to that land. The pre-existing jurisdictional status of that land shall continue in effect.

(d) SPECIAL USE PERMIT AREA.—

(1) IN GENERAL.—The land described in the special use permit 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 laws of 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 realign 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 or the amendment process shall thereafter be included in the Area, but only after final agency action no longer subject to any appeals.

(e) LA LUZ TRACT.—

(1) IN GENERAL.—The La Luz tract now owned in fee by the Pueblo is excluded from the Area and, on application by the Pueblo, 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 subject to all limitations on use pertaining to the Area contained in this title.

(2) NONAPPLICABILITY OF CERTAIN RESTRICTION.—The restriction contained in section 406(a)(4) shall not apply outside of Forest Service System trails.

(f) 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 1323(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3210(a)).

(g) PUEBLO FEE LAND.—Those properties not specifically addressed in subsections (a) or (e) that are owned in fee by the Pueblo within the subdivisions are excluded from the Area and shall be subject to the jurisdictional provisions of subsection (a).

(h) RIGHTS-OF-WAY.—

(1) ROAD RIGHTS-OF-WAY.—

(A) IN GENERAL.—In accordance with the Pueblo having given its consent in the Settlement Agreement, the Secretary of the Interior shall grant to the County of Bernalillo, New Mexico, in perpetuity, the following irrevocable 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).

(B) CONDITIONS.—The road rights-of-way shall be subject to the following conditions:

(i) Such rights-of-way may not be expanded or otherwise modified without the Pueblo's written consent, but road maintenance to the rights-of-way shall not be subject to Pueblo consent.

(ii) The rights-of-way shall not authorize uses for any purpose other than roads without the Pueblo's written consent.

(iii) Except as provided in the Settlement Agreement, existing rights-of-way or leasehold interests and obligations held by the Sandia Peak Tram Company and its affiliates, shall be preserved, protected, and unaffected by this title.

(2) UTILITY RIGHTS-OF-WAY.—In accordance with the Pueblo having given its consent in the Settlement Agreement, the Secretary of the Interior shall grant irrevocable utility rights-of-way in perpetuity across Pueblo land to appropriate utility or other service providers serving Sandia Heights Addition, Sandia Heights North Units I, II, and 3, the special use permit land, Tierra Monte, and Valley View Acres, including rights-of-way for natural gas, power, water, telecommunications, and cable television services. Such rights-of-way shall be within existing utility corridors as depicted on the map or, for certain water lines, as described in the existing grant of easement to the Sandia Peak Utility Company: Provided, That use of water line easements outside the utility corridors depicted on the map shall not be used for utility purposes other than water lines and associated facilities. Except where above-ground facilities already exist, all new utility facilities shall be installed underground unless the Pueblo agrees otherwise. To the extent that enlargement of existing utility corridors is required for any technologically-advanced telecommunication, television, or utility services, the Pueblo shall not unreasonably withhold agreement to a reasonable enlargement of the easements described above.

(3) FOREST SERVICE RIGHTS-OF-WAY.—In accordance with the Pueblo having given its consent in the Settlement Agreement, the Secretary of the Interior shall grant to the Forest Service the following irrevocable rights-of-way in perpetuity for Forest Service trails crossing land of the Pueblo in order to provide for public access to the Area and through Pueblo land—

(A) a right-of-way for a portion of the Crest Spur Trail (Trail No. 84), crossing a portion of the La Luz tract, as identified on the map;

(B) a right-of-way for the extension of the Foothills Trail (Trail No. 365A), as identified on the map; and

(C) a right-of-way for that portion of the Piedra Lisa North-South Trail (Trail No. 135) crossing the Piedra Lisa tract.

SEC. 410. EXTINGUISHMENT 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, any part thereof, and property interests therein, as well as related boundary, survey, trespass, and monetary damage claims, are permanently extinguished. The United States' title to the Area is 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 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 the relinquishment and extinguishment of those claims, rights, titles and interests extinguished pursuant to subsection (a), (b) and (c).

(e) CONSIDERATION.—The recognition of the Pueblo's rights and interests in this title constitutes adequate consideration for the Pueblo's agreement to the extinguishment of the Pueblo's claims in this section and the right-of-way grants contained in section 409, and it is the intent of Congress that those rights and interests may only be diminished by a future Act of Congress specifically authorizing diminishment of such rights, with express reference to this title.

SEC. 411. CONSTRUCTION.

(a) STRICT CONSTRUCTION.—This title recognizes only enumerated rights and interests, and no additional rights, interests, obligations, or duties shall be created by implication.

(b) EXISTING RIGHTS.—To the extent there exist within the Area as of the date of enactment of this Act any valid private property rights associated with private land that are not otherwise addressed in this title, such rights are not modified or otherwise affected by this title, nor is the exercise of any such right subject to the Pueblo's right to withhold consent to new uses in the Area as set forth in section 405(a)(3)(A).

(c) NOT PRECEDENT.—The provisions of this title creating certain rights and interests in the National Forest System are uniquely suited to resolve the Pueblo's claim and the geographic and societal situation involved, and shall not be construed as precedent for any other situation involving management of the National Forest System.

(d) FISH AND WILDLIFE.—Except as provided in section 408(b)(2)(B), nothing in this title shall be construed as affecting the responsibilities of the State of New Mexico with respect to fish and wildlife, including the regulation of hunting, fishing, or trapping within the Area.

(e) FEDERAL LAND POLICY AND MANAGEMENT ACT.—Section 316 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1746) is amended by adding at the end the following: ''Any corrections authorized by this section which affect the boundaries of, or jurisdiction over, land administered by another Federal agency shall be made only after consultation with, and the approval of, the head of such other agency.''

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 under this title, but no 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.—

(1) IN GENERAL.—The Secretary may accept contributions from the Pueblo, or from other persons or governmental entities—

(A) to perform and complete a survey of the Area; or

(B) to carry out any other project or activity for the benefit of the Area in accordance with this title.

(2) 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).

(b) 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 applicable laws, prepare and offer a land exchange of National Forest land outside the Area and contiguous to the northern

boundary of the Pueblo's Reservation within sections 10, 11, and 14 of T12N, R4E, N.M.P.M., Sandoval County, New Mexico excluding wilderness land, for land owned by the Pueblo in the Evergreen Hills subdivision in Sandoval County contiguous to National Forest land, and the La Luz tract in Bernalillo County.

(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 equalization payment in excess of 25 percent of the total value of the land or interests transferred out of Federal ownership.

(3) FUNDS RECEIVED.—Any funds received by the Secretary as a result of the exchange shall be deposited in the fund established under the Act of December 4, 1967, known as the Sisk Act (16 U.S.C. 484a), and shall be available to purchase non-Federal land within or adjacent to the National Forests in the State of New Mexico.

(4) 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 all limitations on use pertaining to the Area under this title.

(5) 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 additional legislation is not necessary, the Secretary, consistent with this section, should proceed with the exchange pursuant to existing law.

(c) 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 Cibola National Forest and the Area shall 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(h)(3)(C); and

(B) the conservation easement established by the limitations on use of the Piedra Lisa tract pursuant to section 409(b)(2).

(d) 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 of 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 case of Pueblo of Sandia v. Babbitt, Civ. No. 94–2624 HHG (D.D.C.), or other proceedings directly related to resolving the issues litigated in that case, may apply for reimbursement in accordance with this section. Costs directly related to such participation which shall qualify for reimbursement shall be—

(A) dues or payments to a homeowner association for the purpose of legal representation; and

(B) legal fees and related expenses.

(2) TREATMENT OF REIMBURSEMENT.—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 (24 U.S.C. 2412).

(3) PAYMENTS.—Subject to the availability of appropriated funds the Secretary of the Treasury shall make reimbursement payments as provided in this section.

(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 REIMBURSEMENT.—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 such sums as are 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—NATIONAL FOREST ORGANIZATIONAL CAMP FEE IMPROVEMENT ACT OF 2003

SECTION 501. SHORT TITLE.

This title may be cited as the ''National Forest Organizational Camp Fee Improvement Act of 2003''.

SEC. 502. FINDINGS, PURPOSE, AND DEFINITIONS.

(a) FINDINGS.—Congress finds the following:

(1) Organizational camps, such as those administered by the Boy Scouts, Girl Scouts, and faith-based and community-based organizations, provide a valuable service to young people, individuals with a disability, and their families by promoting physical, mental, and spiritual health through activities conducted in a natural environment.

(2) The 192,000,0000 acres of national forests and grasslands of the National Forest System managed for multiple uses by the Forest Service provides an ideal setting for such organizational camps.

(3) The Federal Government should charge land use fees for the occupancy and use of National Forest System lands by such organizational camps that, while based on the fair market value of the land in use, also recognize the benefits provided to society by such organizational camps, do not preclude the ability of such organizational camps from utilizing these lands, and permit capital investment in, and maintenance of, camp facilities by such organizational camps or their sponsoring organizations.

(4) Organizational camps should—

(A) ensure that their facilities meet applicable building and safety codes, including fire and health codes;

(B) have annual inspections as required by local law, including at a minimum inspections for fire and food safety; and

(C) have in place safety plans that address fire and medical emergencies and encounters with wildlife.

(b) PURPOSE.—It is the purpose of this Act to establish a land use fee system that provides for an equitable return to the Federal Government for the occupancy and use of National Forest System lands by organizational camps that serve young people or individuals with a disability.

(c) DEFINITIONS.—In this Act:

(1) The term ''organizational camp'' means a public or semipublic camp that—

(A) is developed on National Forest System lands by a nonprofit organization or governmental entity;

(B) provides a valuable service to the public by using such lands as a setting to introduce young people or individuals with a disability to activities that they may not otherwise experience and to educate them on natural resource issues; and

(C) does not have as its primary purpose raising revenue through commercial activities.

(2) The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(3) The term ''individual with a disability'' has the meaning given the term in section 7(20) of the Rehabilitation Act of 1973 (29 U.S.C. 705(20)).

(4) The term ''children at risk'' means children who are raised in poverty or in single-parent homes or are subject to such circumstances as parental drug abuse, homelessness, or child abuse.

(5) The term ''change in control'' means—

(A) for a corporation, the sale or transfer of a controlling interest in the corporation;

(B) for a partnership or limited liability company, the sale or transfer of a controlling interest in the partnership or limited liability company; and

(C) for an individual, the sale or transfer or an organizational camp subject to this Act to another party.

SEC. 503. FEES FOR OCCUPANCY AND USE OF NATIONAL FOREST SYSTEM LANDS AND FACILITIES BY ORGANIZATIONAL CAMPS.

(a) LAND USE FEE.—

(1) PERCENTAGE OF LAND VALUE.—The Secretary shall charge an annual land use fee for each organizational camp for its occupancy and use of National Forest System lands equal to five percent of the product of the following:

(A) The total number of acres of National Forest System lands authorized for the organizational camp.

(B) The estimated per-acre market value of land and buildings in the county where the camp is located, as reported in the most recent Census of Agriculture conducted by the National Agricultural Statistics Service.

(2) ANNUAL ADJUSTMENT.—The land use fee determined under paragraph (1) for an organizational camp shall be adjusted annually by the annual compounded rate of change between the two most recent Censuses of Agriculture.

(3) REDUCTION IN FEES.—

(A) TYPE OF PARTICIPANTS.—The Secretary shall reduce the land use fee determined under paragraph (1) proportionate to the number of individuals with a disability and children at risk who annually attend the organizational camp.

(B) TYPE OF PROGRAMS.—After making the reduction required by subparagraph (A), the Secretary shall reduce the remaining land use fee amount by up to 60 percent, proportionate to the number of persons who annually attend the organizational camp who participate in youth programs through organized and supervised social, citizenship, character-building, or faith-based activities oriented to outdoor-recreation experiences.

(C) RELATION TO MINIMUM FEE.—The reductions made under this paragraph may not reduce the land use fee for an organizational camp below the minimum land use fee required to be charged under paragraph (4).

(D) SPECIAL CONSIDERATIONS.—For purposes of determining the amount of the land use fee reduction required under subparagraph (A) or (B), the Secretary may not take into consideration the existence of sponsorships or scholarships to assist persons in attending the organizational camp.

(4) MINIMUM LAND USE FEE.—The Secretary shall charge a minimum land use fee under paragraph (1) that represents, on average, the Secretary's cost annually to administer an organizational camp special use authorization in the National Forest Region in which the organizational camp is located. Notwithstanding paragraph (3) or subsection (d), the minimum land use fee shall not be subject to a reduction or waiver.

(b) FACILITY USE FEE.—

(1) PERCENTAGE OF FACILITIES VALUE.—If an organizational camp uses a Government-owned facility on National Forest System lands pursuant to section 7 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act; 16

U.S.C. 580d), the Secretary shall charge, in addition to the land use fee imposed under subsection (a), a facility use fee equal to five percent of the value of the authorized facilities, as determined by the Secretary.

(2) REDUCTION IN FEES PROHIBITED.—Notwithstanding subsection (d), the facility use fees determined under paragraph (1) shall not be subject to a reduction or waiver.

(c) FEE RELATED TO RECEIPT OF OTHER REVENUES.—If an organizational camp derives revenue from the use of National Forest System lands or authorized facilities described in subsection (b) for purposes other than to introduce young people or individuals with a disability to activities that they may not otherwise experience and to educate them on natural resource issues, the Secretary shall charge, in addition to the land use fee imposed under subsection (a) and the facility use fee imposed under subsection (b), an additional fee equal to five percent of that revenue.

(d) WORK-IN-LIEU PROGRAM.—Subject to subsections (a)(4) and (b)(2), section 3 of the Federal Timber Contract Payment Modification Act (16 U.S.C. 539f) shall apply to the use fees imposed under this section.

SEC. 504. IMPLEMENTATION.

(a) PROMPT IMPLEMENTATION.—The Secretary shall issue direction regarding implementation of this Act by interim directive within 180 days after the date of the enactment of this Act. The Secretary shall implement this Act beginning with the first billing cycle for organizational camp special use authorizations occurring more than 180 days after the date of the enactment of this Act.

(b) PHASE-IN OF USE FEE INCREASES.—In issuing any direction regarding implementation of this Act under subsection (a), the Secretary shall consider whether to phase-in any significant increases in annual land or facility use fees for organizational camps.

SEC. 505. RELATIONSHIP TO OTHER LAWS.

Except as specifically provided by this Act, nothing in this Act supersedes or otherwise affects any provision of law, regulation, or policy regarding the issuance or administration of authorizations for organizational camps regarding the occupancy and use of National Forest System lands.

SEC. 506. DEPOSIT AND EXPENDITURE OF USE FEES.

(a) DEPOSIT AND AVAILABILITY.—Unless subject to section 7 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act; 16 U.S.C. 580d), use fees collected by the Secretary under this Act shall be deposited in a special account in the Treasury and shall remain available to the Secretary for expenditure, without further appropriation until expended, for the purposes described in subsection (c).

(b) TRANSFER.—Upon request of the Secretary, the Secretary of the Treasury shall transfer to the Secretary from the special account such amounts as the Secretary may request. The Secretary shall accept and use such amounts in accordance with subsection (c).

(c) USE.—Use fees deposited pursuant to subsection (a) and transferred to the Secretary under subsection (b) shall be expended for monitoring of Forest Service special use authorizations, administration of the Forest Service's special program, interpretive programs, environmental analysis, environmental restoration, and similar purposes.

SEC. 507. MINISTERIAL ISSUANCE, OR AMENDMENT AUTHORIZATION.

(a) NEPA EXCEPTION.—The ministerial issuance or amendment of an organizational camp special use authorization shall not be subject to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) RULE OF CONSTRUCTION.—For purposes of subsection (a), the ministerial issuance or amendment of an authorization occurs only when the issuance or amendment of the authorization would not change the physical environment or the activities, facilities, or program of the operations governed by the authorization, and at least one of the following apply:

(1) The authorization is issued upon a change in control of the holder of an existing authorization.

(2) The holder, upon expiration of an authorization, is issued a new authorization.

(3) The authorization is amended—

(A) to effectuate administrative changes, such as modification of the land use fee or conversion to a new special use authorization form; or

(B) to include nondiscretionary environmental standards or to conform with current law.

This division may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2003''.

DIVISION G—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS, 2003

Making appropriations for the Departments of Labor, Health and Human Services, and Education, 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 Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act of 1998, including 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 of 1998 and the Women in Apprenticeship and Nontraditional Occupations Act; and the National Skill Standards Act of 1994; $2,755,070,000 plus reimbursements, of which $1,651,055,000 is available for obligation for 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 of 1998 and $44,500,000 to carry out section 169 of such Act; of which $30,000,000 is available on October 1, 2002 until expended to carry out section 173(a)(4)(A) of the Workforce Investment Act of 1998; and of which $27,550,000 is available for the period July 1, 2003 through June 30, 2006 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers: Provided, That notwithstanding any other provision of law, of the funds provided herein under section 137(c) of the Workforce Investment Act of 1998, $306,608,000 shall be for activities described in section 132(a)(2)(A) of such Act and $1,157,162,000 shall be for activities described in section 132(a)(2)(B) of such Act: Provided further, That $9,098,000 shall be for carrying out section 172 of the Workforce Investment Act of 1998: Provided further, That, notwithstanding any other provision of law or related regulation, $77,836,000 shall be for carrying out section 167 of the Workforce Investment Act of 1998, including $72,686,000 for formula grants, $4,640,000 for migrant and seasonal housing, and $510,000 for other discretionary purposes: Provided further, That notwithstanding the transfer limitation under section 133(b)(4) of the Workforce Investment Act of 1998, up to 30 percent of such funds may be transferred by a local board if approved by the Governor: Provided further, That funds provided to carry out section 171(d) of the Workforce Investment Act of 1998 may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That funding provided to carry out projects under section 171 of the Workforce Investment Act of 1998 that are identified in the Conference Agreement, shall not be subject to the requirements of section 171(b)(2)(B) of such Act, the requirements of section 171(c)(4)(D) of such Act, or the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of such Act: Provided further, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

For necessary expenses of the Workforce Investment Act of 1998, including 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 of 1998; $2,463,000,000 plus reimbursements, of which $2,363,000,000 is available for obligation for the period October 1, 2003 through June 30, 2004, and of which $100,000,000 is available for the period October 1, 2003 through June 30, 2006, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

Of the funds provided under this heading in Public Law 107–116 for the Employment and Training Administration, funding shall be restored to the prior grantee, no later than March 28, 2003, for a period of performance of twenty-four months at an annualized level equivalent to fiscal year 2000 funding levels, for the following grants: Building a High Skills Workforce Development System, Building a High Skills Cities/Counties Consortium, and Increasing Academic and Employability Skills: Applying New Standards in Job Corps Centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965, as amended, $445,200,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, $972,200,000, together with 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.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, $143,452,000, together with not to exceed $3,475,451,000 (including not to exceed $1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund including the cost of administering section 51 of the Internal Revenue Code of 1986, as amended, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502–504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501–8523, shall be available for obligation by the States through December 31, 2003, except that funds used for automation acquisitions shall be available for obligation by the States through September 30, 2005; of which $143,452,000, together with not to exceed $773,283,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2003 through June 30, 2004, to fund activities under the Act of June 6, 1933, as

amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2003 is projected by the Department of Labor to exceed 4,526,000, an additional $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 Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance programs, may be obligated in contracts, grants or agreements with non-State entities: 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 fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A–87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for nonrepayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the ''Federal unemployment benefits and allowances'' 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.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, $121,424,000, including $4,711,000 to administer welfare-to-work grants, together with not to exceed $54,228,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, $117,044,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96–364, within limits of funds and borrowing authority available to such 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 (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 2003, for such Corporation: Provided, That not to exceed $13,050,000 shall be available for administrative expenses of the Corporation: Provided further, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, $381,578,000, together with $2,029,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That $2,000,000 shall be for the development of an alternative system for the electronic submission of reports required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: Provided further, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91–0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading ''Civilian War Benefits'' in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, $163,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2002, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its 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 of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, $37,657,000 shall be made available to the Secretary as follows: (1) for the operation of and enhancement to the automated data processing systems, including document imaging and conversion to a paperless office, $24,928,000; (2) for medical bill review and periodic roll management, $12,027,000; (3) for 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 and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Act, $104,867,000, to remain available until expended: Provided, That the Secretary of Labor is authorized to transfer to any Executive agency with authority under the Energy Employees Occupational Illness Compensation Act, including within the Department of Labor, such sums as may be necessary in fiscal year 2003 to carry out those authorities: Provided further, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim, such identifying information (including Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

Beginning in fiscal year 2003 and thereafter, such sums as may be necessary from the Black Lung Disability Trust Fund, to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended; and interest on advances, as authorized by section 9501(c)(2) of that Act. In addition, the following amounts shall be available from the Fund for fiscal year 2003 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): $31,987,000 for transfer to the Employment Standards Administration, ''Salaries and Expenses''; $22,952,000 for transfer to Departmental Management, ''Salaries and Expenses''; $334,000 for transfer to Departmental Management, ''Office of Inspector General''; and $356,000 for payments into miscellaneous receipts for the expenses of the Department of Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $453,256,000, including not to exceed $91,139,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the ''Act''), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to $750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2003, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable

to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) 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:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That not less than $3,200,000 shall be used to extend funding for the Institutional Competency Building training grants which commenced in September 2000, for program activities for the period of September 30, 2003 to September 30, 2004, provided that a grantee has demonstrated satisfactory performance.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, $274,741,000, 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 $3,000,000 for an award to the National Technology Transfer Center for a coal slurry impoundment pilot project in Southern West Virginia; including up to $2,000,000 for mine rescue and recovery activities; and including $10,000,000 for digitizing mine maps and developing technologies to detect mine voids, through contracts, grants, or other arrangements, to remain available until expended; in addition, not to exceed $750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; and, in addition, the Mine Safety and Health Administration may retain up to $1,000,000 from fees collected 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 States, industry, and safety associations; 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 operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, $415,855,000, together with not to exceed $72,029,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund; and $2,570,000 which shall be available for obligation for the period July 1, 2003 through September 30, 2003, for Occupational Employment Statistics, and $5,000,000 to be used to fund the mass layoff statistics program under section 15 of the Wagner-Peyser Act (29 U.S.C. 49l–2).

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, $47,487,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including the management or operation, through contracts, grants or other arrangements of Departmental activities conducted by or through the Bureau of International Labor Affairs, including bilateral and multilateral technical assistance and other international labor activities, of which the funds designated to carry out bilateral assistance under the international child labor initiative shall be available for obligation through September 30, 2004, and $55,000,000, for the acquisition of Departmental information technology, architecture, infrastructure, equipment, software and related needs which will be allocated by the Department's Chief Information Officer in accordance with the Department's capital investment management process to assure a sound investment strategy; $390,069,000; together with not to exceed $310,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in Rule 15 of the Federal Rules of Appellate Procedure: Provided further, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: Provided further, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

VETERANS EMPLOYMENT AND TRAINING

Not to exceed $188,537,000 may be derived from the Employment Security Administration Account in the Unemployment Trust Fund to carry out the provisions of 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 States through December 31, 2003. To carry out the Stewart B. McKinney Homeless Assistance Act and section 168 of the Workforce Investment Act of 1998, $25,675,000, of which $7,425,000 shall be available for obligation for the period July 1, 2003 through June 30, 2004.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out 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 compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated 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. 13126, 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 or services rendered, whole 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.

This title may be cited as the ''Department of Labor Appropriations Act, 2003''.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, IV, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V (including section 510), and sections 1128E and 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, the Native Hawaiian Health Care Act of 1988, as amended, the Cardiac Arrest Survival Act of 2000, and the Poison Control Center Enhancement and Awareness Act, $6,472,630,000, of which $298,153,000 shall be available for construction and renovation (including equipment) of health care and other facilities, and of which $40,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: Provided, 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 addition to fees 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 $40,000,000 is available for carrying out the provisions of Public Law 104–73: Provided further, That of the funds made available under this heading, $275,138,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That $719,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That of the amount provided under this heading, $46,000 is available for Catholic Social Services, The Bridge, Wilkes Barre, PA for abstinence education and related services, $500,000 is available for CentraCare Health Foundation for administration, St. Cloud, Minnesota, to increase the ability of educational institutions to produce nurses in a region with high demand, $41,000 is available for Chester County Health Department, Chester County Government Services Center, West Chester, PA, for abstinence education and related services, $105,000 is available for the City of Chester, Bureau of Health, SABER Project, Chester, PA, for abstinence education and related services, $86,000 is available for George Washington Carver Community Center, Project A.C.E., Norristown, PA, for abstinence education and related services, $51,000 is available for Heart Beat, New Bloomfield, PA, for abstinence education and related services, $79,000 is available for Keystone Central School District, Central Mountain Middle School East, Loc Haven, PA, for abstinence education and related services, $88,000 is available for Keystone Economic Development Corporation, Johnstown, PA, for abstinence education and related services, $92,000 is available for L.V.C.P.T.P., St. Luke's Health Network, CHOICE program, Bethlehem, PA, for abstinence education and related services, $74,000 is available for Lackawanna Trail School District, Factoryville, PA, for abstinence education and related services, $112,000 is available for LaSalle University, Philadelphia, PA, for abstinence education and related services, $111,000 is available for Mercy Hospital of Pittsburgh, Pittsburgh, PA, for abstinence education and related services, $136,000 is available for Neighborhood United Against Drugs, Philadelphia, PA, for abstinence education and related services, $23,000 is available for New Brighton School District, New Brighton, PA, for abstinence education and related services, $1,250,000 is available for Northeastern Ohio Universities College of medicine, Rootstown, Ohio, for the Center for Leadership in Public Health and Community Medicine, $72,000 is available for Nueva Esperanza, Philadelphia, for abstinence education and related services, $72,000 is available for Partners in Family and Community Development, Athens, PA, for abstinence education and related services, $50,000 is available for Potter County Human Services, Routleet, PA, for abstinence education and related services, $71,000 is available for Rape and Victim Assistance Center of Schuykill County, Pottsville, PA, for abstinence education and related services, $82,000 is available for Real Commitment, Gettysburg, PA, for abstinence education and related services, $101,000 is available for the School District of Lancaster, Project IMPACT, Lancaster, PA, for abstinence education and related services, $102,000 is available for the School District of Philadelphia, Philadelphia, PA, for abstinence education and related services, $700,000 is available for the Silver Ring Thing Program, Sewickley, Pennsylvania, for expansion of a program promoting abstinence, $74,000 is available for the Guidance Center, project RAPPORT, Smethport, PA, for abstinence education and related services, $109,000 is available for To Our Children's Future with Health, Inc., Philadelphia, PA, for abstinence education and related services, $136,000 is available for Tressler Lutheran Services, Harrisburg, PA, for abstinence education and related services, $84,000 is available for Tuscarora Intermediate Unit, Mcveytown, PA, for abstinence education and related services, $500,000 is available for the University of Akron, Ohio, for a nursing study, $1,000,000 is available for the University of Florida, Gainesville, Florida, for Consortium to Promote Nursing Faculty, $300,000 is available for the University of Louisville Research Foundation, Kentucky, to establish a Center for Cancer Nursing Education and Research, $126,000 is available for the Urban Family Council, Philadelphia, PA, for abstinence education and related services, $41,000 is available for Venago County Area Vo-Tech, Oil City, PA, for abstinence education and related services, $136,000 is available for Washington Hospital Teen Outreach, Academy for Adolescent Health, Washington, PA, for abstinence education and related services, $300,000 is available for William Beaumont Hospital, Royal Oak, Michigan, for the Beaumont Nurse Anesthesia Education Rural Initiative, $136,000 is available for the Women's Care Center for Erie County, Inc., Abstinence Advantage Program, Erie, PA, for abstinence education and related services, $50,000 is available for York County, Human Life Services, Inc., York, PA, for abstinence education and related services, $95,000 is available for Community Ministries of the Lutheran Home at Topton, Reading, PA, for abstinence education and related services, $50,000 is available for Clarke College in Dubuque, IA, for the planning of a community health center, $700,000 is available for Clinical Pharmacy Training Program at University of Hawaii at Hilo, $100,000 is available for Iowa Dept of Public Health to continue the Center for Healthcare Workforce Shortages, $350,000 is available for Nationally Health Start Association, Baltimore, Maryland, to gather and disseminate information on best practices under the Healthy Start program and provide technical assistance to Healthy Start grantees, $125,000 is available for the Tulsa Coalition for Children's Health in Tulsa, Oklahoma for a study regarding delivery of pediatric health care in northeastern Oklahoma, and $50,000 is available for Waianae Coast Community Health Center leadership training: Provided further, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed $115,900,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act, of which $500,000 is available for the City of Milwaukee Health Department for a pilot program providing health services to at-risk children in day care and $10,000 is available for the Dane County Neighborhood Child Health Clinic in Madison, Wisconsin to provide child dental services: Provided further, That in addition to amounts provided herein, $25,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Parts A, B, C, and D of Title XXVI of the Public Health Service Act to fund section 2691 Special Projects of National Significance: Provided further, That $55,000,000 is available for special projects of regional and national significance under section 501(a)(2) of the Social Security Act, which shall not be counted toward compliance with the allocation required in section 502(a)(1) of such Act, and which shall be used only for making competitive grants to provide abstinence education (as defined in section 510(b)(2) of such Act) to adolescents and for evaluations (including longitudinal evaluations) of activities under the grants and for Federal costs of administering the grants: Provided further, That grants under the immediately preceding proviso shall be made only to public and private entities which agree that, with respect to an adolescent to whom the entities provide abstinence education under such grant, the entities will not provide to that adolescent any other education regarding sexual conduct, except that, in the case of an entity expressly required by law to provide health information or services the adolescent shall not be precluded from seeking health information or services from the entity in a different setting than the setting in which the abstinence education was provided: Provided further, That the funds expended for such evaluations may not exceed 3.5 percent of such amount.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM ACCOUNT

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, $3,914,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed $2,991,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX, XXI, and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, $4,296,566,000, of which $268,000,000 shall remain available until expended for equipment, and construction and renovation of facilities, and of which $183,763,000 for international HIV/AIDS shall remain available until September 30, 2004, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, $14,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the National Immunization Surveys: Provided further, That in addition to amounts provided herein, $125,899,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the National Center for Health Statistics surveys: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used, in whole or in part, to advocate or promote gun control: Provided further, That in addition to amounts provided herein, $28,600,000

shall be available from amounts available under section 241 of the Public Health Service Act to carry out information systems standards development and architecture and applications-based research used at local public health levels: Provided further, That in addition to amounts provided herein, $41,900,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Research Tools and Approaches activities within the National Occupational Research Agenda: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101–502, 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 $12,500,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 15 States: Provided further, That without regard to existing statute, funds appropriated may be used to proceed, at the discretion of the Centers for Disease Control and Prevention, with property acquisition, including 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 project: Provided further, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, $4,622,394,000.

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, $2,812,011,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental 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, $1,633,347,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, $1,466,005,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

(INCLUDING TRANSFER OF FUNDS)

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, $3,730,973,000: Provided, That $100,000,000 may be made available to International Assistance Programs, ''Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis'', to remain available until expended: Provided further, That up to $375,000,000 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, $1,859,084,000.

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, $637,290,000.

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, $618,258,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, $1,000,099,000.

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, $489,324,000.

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, $418,773,000.

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, $1,349,788,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, $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, $280,100,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, $1,146,272,000: 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 $120,000,000 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

For carrying out the activities at the John E. Fogarty International Center, $63,880,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, $302,099,000, of which $4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2003, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health: Provided further, That in addition to amounts provided herein, $8,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out National Information Center on 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, $267,974,000: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may 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 no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for 1 fiscal year after the fiscal year in which they are deposited: Provided further, That up to $500,000 shall be available to carry out section 499 of the Public Health Service Act.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For the study of, construction of, renovation of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, $632,800,000, to remain available until expended: Provided, That notwithstanding any other provision of law, single contracts or related contracts, which collectively include the full scope of the project, may be employed for the development and construction of the first and second phases of the John Edward Porter Neuroscience Research Center: Provided further, That the solicitations and contracts shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, $3,158,068,000, of which $21,461,000 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act: Provided, That $955,000, to remain available until expended, shall be for protection, maintenance, and environmental remediation of the Federally owned facilities at St. Elizabeths Hospital: Provided further, That in addition to amounts provided herein, $62,200,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out Subpart II of Title XIX of the Public Health Service Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts

appropriated for Subpart II of Title XIX: Provided further, That in addition to amounts provided herein, $12,000,000 shall be made available from amounts available under section 241 of the Public Health Service Act to carry out data collection activities supporting the annual National Household Survey.

AGENCY 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 XI of the Social Security Act, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 927(c) of the Public Health Service Act shall not exceed $303,695,000.

CENTERS 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 unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2004, $51,861,386,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under section 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, $81,462,700,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed $2,581,672,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and section 1857(e)(2) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That from amounts appropriated under this heading, $3,000,000 for the managed care system redesign shall remain available until expended: Provided further, That $51,000,000, to remain available until September 30, 2004, is for contract costs for the Healthcare Integrated General Ledger Accounting System: Provided further, That of the amounts made available for research, demonstration and evaluation, $1,500,000 is available for AIDS Healthcare Foundation in Los Angeles for a demonstration of residential and outpatient treatment facilities, $500,000 is available for Bucks County Health Improvement Project, Langhorne, Pennsylvania, $464,000 is available for Children's Hospice International demonstration program to provide a continuum of care for children with life-threatening conditions and their families, $350,000 is available for Children's Hospitals and Clinics of Minneapolis/St. Paul, in partnership with the National Hospice and Palliative Care Organization, for a demonstration project to provide pediatric palliative care education and consultation services, $100,000 is available for Community Catalyst Inc. in Boston, MA to expand a benefits management program to improve the delivery of healthcare benefits to low-income individuals, $75,000 is available for Cook County Illinois Bureau of Health Services to improve the management of the vulnerable patients with poorly controlled diabetes, $700,000 is available for the County of Sacramento, California for implementation of the SacAdvantage pilot program to increase availability of health insurance for uninsured workers and their dependents through premium subsidies and purchasing pools, $200,000 is available for Equip for Equality in Chicago, Illinois for a demonstration project to document the impact of an independent investigative unit to examine deaths and serious allegations of abuse and neglect of people with disabilities at facilities in Illinois, $300,000 is available for Hamot Medical Center, Erie, PA, for a demonstration project for the evaluation of advanced illness coordinated care for Medicare beneficiaries, $100,000 is available for Hope House Day Care Center in Memphis, Tennessee for a demonstration project on improving the overall well-being of HIV positive children, $500,000 is available for the Hospice of Metro Denver in Denver, Colorado to establish a clinical and training affiliation with the University of Colorado's Health Science Center and to develop cutting-edge palliative care practices, $350,000 is available for Illinois Primary Health Care Association, in Springfield, Illinois, to implement the Shared Integrated Management Information System, $100,000 is available for Jefferson Area Board for Aging, Charlottesville, Virginia, for continuation of the recruitment, retention, training, and support of nursing assistants, $100,000 is available for Johns Hopkins School of Medicine, Baltimore, MD, for an advanced respiratory medicine project to study in-home, self-administered high frequency chest wall oscillation therapy, $130,000 is available for Medical Care for Children Partnership, Fairfax, Virginia to provide outreach to increase access to medical and dental care for children, and $325,000 is available for The Breast Cancer Fund in San Francisco, California (in collaboration with Shanti) for the ''Lifelines'' project to increase access to breast cancer treatment for medically underserved women: Provided further, That to the extent Medicare claims volume is projected by the Centers for Medicare and Medicaid Services (CMS) to exceed 223,500,000 Part A claims and/or 870,000,000 Part B claims, an additional $46,800,000 shall be available for obligation for every 50,000,000 increase in Medicare claims volume (including a pro rata amount for any increment less than 50,000,000) from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Fund: Provided further, That the Secretary of Health and Human Services is directed to collect fees in fiscal year 2003 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2003, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), $2,475,800,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2004, $1,100,000,000, to remain available until expended.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV–A of the Social Security Act before the effective date of the program of Temporary Assistance for Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV–A in fiscal year 1997 under this appropriation and under such title IV–A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, $1,700,000,000.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96–422), $436,724,000: Provided, That funds appropriated pursuant to section 414(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 up to $10,000,000 is 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), $10,000,000.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), $2,099,994,000 shall be used to supplement, not supplant state general revenue funds for child care assistance for low-income families: Provided, That $19,120,000 shall be available for child care resource and referral and school-aged child care activities, of which $1,000,000 shall be for the Child Care Aware toll free hotline: Provided further, That, in addition to the amounts required to be reserved by the States under section 658G, $272,672,000 shall be reserved by the States for activities authorized under section 658G, of which $100,000,000 shall be for activities that improve the quality of infant and toddler care: Provided further, That $10,000,000 shall be for use by the Secretary for child care research, demonstration, and evaluation activities.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, $1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such

Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, sections 310 and 316 of the Family Violence Prevention and Services Act, as amended, the Native American Programs Act of 1974, title II of Public Law 95–266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105–89), sections 1201 and 1211 of the Children's Health Act of 2000, the Abandoned Infants Assistance Act of 1988, the Early Learning Opportunities Act, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act, and sections 40155, 40211, and 40241 of Public Law 103–322; for making payments under the Community Services Block Grant Act, sections 439(h), 473A, and 477(i) of the Social Security Act, and title IV of Public Law 105–285, and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, section 5 of the Torture Victims Relief Act of 1998 (Public Law 105–320), sections 40155, 40211, and 40241 of Public Law 103–322, and section 126 and titles IV and V of Public Law 100–485, $8,643,117,000, of which $43,000,000, to remain available until September 30, 2004, shall be for grants to States 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 adoptions completed in fiscal years 2001 and 2002; 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 and remain available through September 30, 2004; and of which $739,315,000 shall be for making payments under the Community Services Block Grant Act: Provided, That not less than $7,250,000 shall be for section 680(3)(B) of the Community Services Block Grant Act, as amended: Provided further, That in addition to amounts provided herein, $6,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out the provisions of Section 1110 of the Social Security Act: Provided further, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next 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 grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That funds appropriated for section 680(a)(2) of the Community Services Block Grant Act, as amended, shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That $90,567,000 shall be for activities authorized by the Runaway and Homeless Youth Act, notwithstanding the allocation requirements of section 388(a) of such Act, of which $40,770,000 is for the transitional living program: Provided further, That $35,000,000 is for a compassion capital fund to provide grants to charitable organizations to emulate model social service programs and to encourage research on the best practices of social service organizations.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 436 of the Social Security Act, $305,000,000 and for section 437, $100,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV–E of the Social Security Act, $4,855,000,000.

For making payments to States or other non-Federal entities under title IV–E of the Act, for the first quarter of fiscal year 2004, $1,745,600,000.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under section 474 of title IV–E, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, $1,376,001,000, of which $5,500,000 shall be available for activities regarding medication management, screening, and education to prevent incorrect medication and adverse drug reactions: Provided, That $149,670,000 shall be available for carrying out section 311 of the Older Americans Act of 1965 consistent with the formula of such Act (as amended by section 217 of this Act).

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, $361,364,000, together with $5,851,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, $11,885,000 shall be for activities specified under section 2003(b)(2), of which $10,157,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That of this amount, $50,000,000 is for minority AIDS prevention and treatment activities; and $20,000,000 shall be for an Information Technology Security and Innovation Fund for Department-wide activities involving cybersecurity, information technology security, and related innovation projects.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $37,300,000: Provided, That, of such amount, necessary sums are available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, $30,328,000, together with not to exceed $3,314,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

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 Public Health Service Act, $2,499,000: Provided, That in addition to amounts provided herein, $18,000,000 shall be available from amounts available under section 241 of the Public Health Service Act to carry out national health or human services research and evaluation activities: Provided further, That the expenditure of any funds available under section 241 of the Public Health Service Act are subject to the requirements 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, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55 and 56), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year. The following are definitions for the medical benefits of the Public Health Service Commissioned Officers that apply to 10 U.S.C. chapter 56, section 1116(c). The source of funds for the monthly accrual payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund shall be the Retirement Pay and Medical Benefits for Commissioned Officers account. For purposes of this Act, the term ''pay of members'' shall be construed to be synonymous with retirement payments to U.S. Public Health Service officers who are retired for age, disability, or length of service; payments to survivors of deceased officers; medical care to active duty and retired members and dependents and beneficiaries; and for payments to the Social Security Administration for military service credits; all of which payments are provided for by the Retirement Pay and Medical Benefits for Commissioned Officers account.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, disease and chemical threats to civilian populations, $2,246,680,000: Provided, That this amount is distributed as follows: Centers for Disease Control and Prevention, $1,543,440,000 of which $300,000,000 shall remain available until expended for the National Pharmaceutical Stockpile; Office of the Secretary, $152,240,000; Health Resources and Services Administration; $546,000,000; and the Agency for Healthcare Research and Quality, $5,000,000, to remain available until expended; Provided further, That at the discretion of the Secretary, these amounts may be transferred between categories subject to normal reprogramming procedures: Provided further, That employees of the Centers for Disease Control and Prevention or the Public Health Service, both civilian and Commissioned Officers, detailed to States, municipalities or other organizations under authority of Section 214 of the Public Health Service Act for purposes related to homeland security, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services during the period of detail or assignment.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed $50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399F(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103–43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health, the Agency for Healthcare Research and Quality, and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level I.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

SEC. 206. Notwithstanding section 241(a) of the Public Health Service Act, such portion as the Secretary shall determine, but not more than 2.1 percent, of any amounts appropriated for programs authorized under said Act shall be made available for the evaluation (directly, or by grants or contracts) of the implementation and effectiveness of such programs.

(TRANSFER OF FUNDS)

SEC. 207. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this or any other Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That an appropriation may be increased by up to an additional 2 percent subject to approval by the House and Senate Committees on Appropriations: Provided further, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 208. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

SEC. 209. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the ''Office of AIDS Research'' account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 210. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the 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 the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 213. The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking ''1997, 1998, 1999, 2000, and 2001'' and inserting ''1997, 1998, 1999, 2000, 2001, 2002 and 2003''; and

(B) in subsection (e), by striking ''October 1, 2002'' each place it appears and inserting ''October 1, 2003''; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking ''September 30, 2002'' and inserting ''September 30, 2003''.

SEC. 214. (a) Except as provided by subsection (e) none of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x–26) if such State certifies to the Secretary of Health and Human Services by May 1, 2003 that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act.

(c) The State is to maintain State expenditures in fiscal year 2003 for tobacco prevention programs and for compliance activities at a level that is not less than the level of such expenditures maintained by the State for fiscal year 2002, and adding to that level the additional funds for tobacco compliance activities required under subsection (a). The State is to submit a report to the Secretary on all fiscal year 2002 State expenditures and all fiscal year 2003 obligations for tobacco prevention and compliance activities by program activity by July 31, 2003.

(d) The Secretary shall exercise discretion in enforcing the timing of the State obligation of the additional funds required by the certification described in subsection (a) as late as July 31, 2003.

(e) None of the funds appropriated by this Act may be used to withhold substance abuse funding pursuant to section 1926 from a territory that receives less than $1,000,000.

SEC. 215. In order for the Centers for Disease Control and Prevention to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2003, the Secretary of Health and Human Services is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of the Department of Health and Human Services. The Department of State shall cooperate fully with the Secretary of Health and Human Services to ensure that the Department of Health and Human Services has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary of Health and Human Services is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

SEC. 216. The Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals.

SEC. 217. (a) Section 311 of the Older Americans Act of 1965 (42 U.S.C. 3030a) is amended—

(1) in subsection (b)—

(A) 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 the form of cash or commodities or a combination thereof (at the discretion of the State) to each State agency'' and inserting ''The Secretary shall allot and provide, in accordance with this section, to or on behalf of each State agency''; and

(ii) by striking ''to each grantee'' and inserting ''to or on behalf of each grantee''; and

(2) in subsection (d)—

(A) in the caption, to read as follows: ''Option to obtain commodities from Secretary of Agriculture'';

(B) in paragraph (1), to read as follows: ''Each State agency and each grantee under title VI shall be entitled to use all or any part of amounts allotted under subsection (b) to obtain from the Secretary of Agriculture commodities available through any Federal food commodity processing program, at the rates at which such commodities are valued for purposes of such program.'';

(C) by redesignating paragraphs (2) and (4) as paragraphs (4) and (5), respectively;

(D) by striking paragraph (3);

(E) by adding after paragraph (1) the following new paragraphs:

''(2) The Secretary of Agriculture shall determine and report to the Secretary, by such date as the Secretary may require, the amount (if any) of its allotment under subsection (b) which each State agency and title VI grantee has elected to receive in the form of commodities. Such amount shall include an amount bearing the same ratio to the costs to the Secretary of Agriculture of providing such commodities under this subsection as the value of commodities received by such State agency or title VI grantee under this subsection bears to the total value of commodities so received.

''(3) From the allotment under subsection (b) for each State agency and title VI grantee, the Secretary shall first reimburse the Secretary of Agriculture for costs of commodities received by such State agency or grantee under this subsection, and shall then pay the balance (if any) to such State agency or grantee.'';

(F) in paragraph (4), as redesignated, in the first sentence, to read as follows: ''Each State agency shall promptly and equitably disburse amounts received under this subsection to recipients of grants and contracts.''; and

(G) in paragraph (5), as redesignated, by striking ''donation'' and inserting ''provision''.

SEC. 218. Notwithstanding section 409B(c) of the Public Health Service Act regarding a limitation on the number of such grants, funds appropriated in this Act may be expended by the Director of the National Institutes of Health to

award Core Center Grants to encourage the development of innovative multidisciplinary research and provide training concerning Parkinson's disease. Each center funded under such grants shall be designated as a Morris K. Udall Center for Research on Parkinson's Disease.

SEC. 219. The Supplemental Appropriations Act, 2001 (Public Law 107–20) is amended, in the matter under the heading ''LOW INCOME HOME ENERGY ASSISTANCE'' under the heading ''ADMINISTRATION FOR CHILDREN AND FAMILIES'' under the heading ''DEPARTMENT OF HEALTH AND HUMAN SERVICES'', in chapter 7 of title II, by striking ''$300,000,000'' and inserting in lieu thereof, ''$200,000,000'', and by adding under such heading the following new paragraph: ''For an additional amount for the Low Income Home Energy Assistance Program authorized under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $100,000,000, to remain available until expended.''.

SEC. 220. Notwithstanding any other provision of this Act, the $6,667,533,000 provided for the Head Start Act shall be exempt from the across-the-board rescission under section 601 of division N.

This title may be cited as the ''Department of Health and Human Services Appropriations Act, 2003''.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965 (''ESEA'') and section 418A of the Higher Education Act of 1965, $13,853,400,000, of which $4,651,199,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004, and of which $9,027,301,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003–2004: Provided, That $7,172,971,000 shall be available for basic grants under section 1124: Provided further, That up to $3,500,000 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 1124A: Provided further, That $1,670,239,000 shall be available for targeted grants under section 1125: Provided further, That $1,541,759,000 shall be available for education finance incentive grants under section 1125A: Provided further, That $235,000,000 shall be available for comprehensive school reform grants under part F of the ESEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, $1,196,000,000, of which $1,032,000,000 shall be for basic support payments under section 8003(b), $51,000,000 shall be for payments for children with disabilities under section 8003(d), $45,000,000 shall be for construction under section 8007 and shall remain available through September 30, 2004, $60,000,000 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 8008.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV, V, VI, and parts B and C of title VII of the Elementary and Secondary Education Act of 1965 (''ESEA''); part B of title II of the Higher Education Act; the McKinney-Vento Homeless Assistance Act; and the Civil Rights Act of 1964, $8,052,957,000, of which $508,100,000 shall become available October 1, 2002, and shall remain available through September 30, 2004, of which $4,132,167,000 shall become available on July 1, 2003, and remain available through September 30, 2004, and of which $1,765,000,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003–2004: Provided, That up to $12,000,000 may be used to carry out section 2345 of the ESEA: Provided further, That 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 to improve public knowledge, understanding, and support of the Congress and the state legislatures: Provided further, That of the funds made available for subpart 2 of part A of title IV of the ESEA, $5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence program to provide education-related services to local educational agencies in which the learning environment has been disrupted due to a violent or traumatic crisis: Provided further, That $75,000,000 for continuing and new grants to demonstrate effective approaches to comprehensive school reform shall be allocated and expended in the same manner as the funds provided under the Fund for the Improvement of Education for this purpose were allocated and expended in fiscal year 2002: Provided further, That $162,000,000 shall be available to support the activities authorized under subpart 4 of part D of title V of the ESEA, of which up to 5 percent shall become available October 1, 2002, for evaluation, technical assistance, school networking, peer review of applications, and program outreach activities and of which not less than 95 percent shall become available on July 1, 2003, and remain available through September 30, 2004, for grants to local educational agencies: Provided further, That funds made available to local educational agencies under this subpart shall be used only for activities related to establishing smaller learning communities in high schools: Provided further, That funds made available to carry out part C of title VII of the ESEA may be used for construction: Provided further, That funds made available to carry out part B of title VII of the ESEA may be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That $387,000,000 shall be for subpart l of part A of title VI of the ESEA: 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 $814,660,000 shall be available to carry out part D of title V of the ESEA: Provided further, That $212,160,000 of the funds for subpart l, part D of title V of the ESEA shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VII, part A of the Elementary and Secondary Education Act of 1965, $122,368,000.

ENGLISH LANGUAGE ACQUISITION

For carrying out title III, part A of the ESEA, $690,000,000, of which $494,000,000 shall become available on July 1, 2003, and shall remain available through September 30, 2004.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, $10,095,639,000, of which $4,135,233,000 shall become available for obligation on July 1, 2003, and shall remain available through September 30, 2004, and of which $5,672,000,000 shall become available on October 1, 2003, and shall remain available through September 30, 2004, for academic year 2003–2004: Provided, That $10,000,000 shall be for Recording for the Blind and Dyslexic to support the development, production, and circulation of recorded 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 equal to the amount available for that section in the Department of Education Appropriations Act, 2002, increased by the amount of inflation as specified in section 611(f)(1)(B)(ii) of the Act: Provided further, That $7,715,000 of the funds for section 672 of the Act shall be available for the projects and in the amounts specified in the statement of the managers of the conference report accompanying this Act.

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, $2,956,382,000, of which $1,000,000 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 for title I of 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) of the AT Act shall not limit the award of an extension grant to three years: Provided further, That no State or outlying area awarded funds under section 101 shall receive less than the amount received in fiscal year 2002: Provided further, That $3,540,000 of the funds for section 303 of the Rehabilitation Act of 1973 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), $15,500,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), $54,050,000, of which $1,600,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary 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. 4301 et seq.), $98,438,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Applied Technology Education Act, and the Adult Education and Family Literacy Act, and title VIII–D of the Higher Education Act of 1965, as amended, and Public Law 102–73, $1,956,060,000, of which $1,158,060,000 shall become 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 notwithstanding any other provision of law or any regulation, the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to section 117 of the Carl D. Perkins Vocational and Applied Technology Education Act: 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, 65 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 Immigration and Naturalization Service data for immigrants admitted for legal permanent residence for the 10 most recent years, and 35 percent allocated to States that experienced growth as measured by the average of the 3 most recent years for which Immigration and Naturalization Service data for immigrants admitted for legal permanent residence are available, except 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 $23,500,000 shall be for Youth Offender Grants, of which $5,000,000 shall be used in accordance with section 601 of Public Law 102–73 as that section was in effect prior to the enactment of Public Law 105–220.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, section 428K, part C and part E of title IV of the Higher Education Act of 1965, as amended, $13,450,500,000, which shall remain available through September 30, 2004.

The maximum Pell Grant for which a student shall be eligible during award year 2003–2004 shall be $4,050.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, and VII of the Higher Education Act of 1965 (''HEA''), as amended, section 1543 of the Higher Education Amendments of 1992, title VIII of the Higher Education Amendments of 1998, and the Mutual Educational and Cultural Exchange Act of 1961, $2,100,701,000, of which $3,000,000 for interest subsidies authorized by section 121 of the HEA, shall remain available until expended: Provided, That $10,000,000, to remain available through September 30, 2004, shall be available to fund fellowships for academic year 2004–2005 under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That $1,000,000 is for data collection and evaluation activities for programs under the HEA, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language 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 in the fields of government, the professions, or international development: Provided further, That up to one percent of the funds referred to in the preceding proviso may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That $140,599,000 of the funds for part B of title VII of the Higher Education Act of 1965 shall be available for the projects and in the amounts specified in the statement of the managers on the conference report accompanying this Act.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), $240,000,000, of which not less than $3,600,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98–480) and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, $762,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

The aggregate principal amount of outstanding bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed $357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, $208,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by Public Law 107–279, $450,887,000: Provided, That of the amount appropriated, $140,000,000 shall be available for obligation through September 30, 2004: Provided further, That $5,000,000 shall be available to extend for one additional year the contract for the Eisenhower National Clearinghouse for Mathematics and Science Education authorized under section 2102(a)(2) of the Elementary and Secondary Education Act of 1965, prior to its amendment by the No Child Left Behind Act of 2001, Public Law 107–110.

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, $412,545,000, 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, $86,276,000.

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, $41,000,000.

STUDENT AID ADMINISTRATION

For Federal administrative expenses (in addition to funds made available under section 458), to carry out part D of title I, and subparts 1, 3, and 4 of part A, and parts B, C, D and E of title IV of the Higher Education Act of 1965, as amended, $105,388,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or 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's home, except for a student requiring 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 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 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. 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.—A State or local educational agency shall use funds received under this subpart only to supplement the level of non-Federal funds that, 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.''.

This title may be cited as the ''Department of Education Appropriations Act, 2003''.

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, $68,013,000, of which $5,769,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington and the Armed Forces Retirement Home—Gulfport: Provided, That, notwithstanding any other provision of law, a single contract or related contracts for development and construction, to include construction of a facility at the United States Naval Home, may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause ''availability of funds'' found at 48 CFR 52.232–18 and 252.232–7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, $356,205,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act shall be used to provide stipends or other monetary incentives to volunteers or volunteer leaders whose incomes exceed 125 percent of the national poverty level.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2005, $390,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is

excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That for fiscal year 2003, in addition to the amounts provided above, $48,744,000, for costs related to digital program production, development, and distribution, associated with the transition of public broadcasting to digital broadcasting, to be awarded as determined by the Corporation in consultation with public radio and television licensees or permittees, or their designated representatives: Provided further, That in addition to the funds provided under this heading in Public Law 106–554, $183,000 shall be available for administrative costs for fiscal year 2003, notwithstanding section 396(k)(3)(A) of the Public Broadcasting Act.

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 1978 (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 95–454 (5 U.S.C. ch. 71), $41,425,000, including $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 notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and 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 jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), $7,178,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

For carrying out the Museum and Library Services Act, $245,485,000, of which $10,000,000 shall remain available until expended for the Recruiting and Educating Librarians for the 21st Century Initiative: Provided, That of the amount provided, $25,000 shall be awarded to the Abington Art Center, Jenkintown, Pennsylvania, for a work-study program for at-risk junior and high school students, $100,000 shall be awarded to the Aleutian World War II Museum in Alaska for interactive media display, $75,000 shall be awarded to the Allentown Art Museum, Allentown, Pennsylvania, for educational programs for 25 school districts in 7 Pennsylvania counties, $25,000 shall be awarded to the Alley Pond Environmental Center, Douglaston, New York, for environmental education programs, $500,000 shall be awarded to the American Village Project in Montevallo, Alabama, $100,000 shall be awarded to the Army Aviation Heritage Foundation in Ozark, Alabama, for educational programs, $175,000 shall be awarded to the Arts Council of New Orleans, $500,000 shall be awarded to the Asian Art Museum, San Francisco, California, for exhibits and education programs, $575,000 shall be awarded to the Berkshire Museum, Pittsfield, Massachusetts, for climate control systems to preserve collections, $400,000 shall be awarded to the Bishops Museum in Honolulu, Hawaii, $400,000 shall be awarded to the Boston Public Library Foundation, Boston, Massachusetts, for preservation and enhancement of the John Adams Presidential Library and for related educational programs, $250,000 shall be awarded to the Bowers Museum, City of Santa Ana, California, for education programs, publications and technology, $500,000 shall be awarded to the Brooklyn Children's Museum, Brooklyn, New York, for equipment and technology, exhibits and education programs, $100,000 shall be awarded to the Butler Area Public Library, Pennsylvania, for program enhancements, $275,000 shall be awarded to the California State University, San Marcos, California, to upgrade electronic catalog and to provide computer stations for the library, $175,000 shall be awarded to the Cape Cod Maritime Museum to develop exhibits and academic programs, $200,000 shall be awarded to the Carnegie Library of Pittsburgh, Pennsylvania, to purchase library materials and upgrade technology at the East Liberty Branch Library, $250,000 shall be awarded to the Carnegie Library, Union Springs, Alabama, for program development, $75,000 shall be awarded to the Chicago State University Gwendolyn Brooks Center to expand its repository of the literary works of Gwendolyn Brooks, $100,000 shall be awarded to the Chickasaw Cultural Center in Chickasaw, Oklahoma, $100,000 shall be awarded to the Children's Museum of Manhattan, New York, New York, to establish early childhood education programs and exhibits, $100,000 shall be awarded to the Children's Museum of Stockton, Stockton, California, for a Delta Region Exhibit, $100,000 shall be awarded to the City of Abilene, Texas, for the collection and display of artifacts, and for exhibits at the Texas Forts Trail Museum, $50,000 shall be awarded to the City of Anatuvik Pass Museum in Alaska for museum exhibits, $200,000 shall be awarded to the City of Dallas, Texas, for the Dallas Public Library, to establish ''Teen Wise Centers'' for at-risk youth, $150,000 shall be awarded to the Clark County Heritage Center Springfield, Ohio, for technology upgrades an exhibit development, $250,000 shall be awarded to the Cleveland Health Museum, Ohio, for exhibits, $400,000 shall be awarded to the Commonwealth Zoological Corporation (Zoo New England), Boston, Massachusetts, for the ''Living Classroom'' science education program and for outreach, $800,000 shall be awarded to the Davenport Music History Museum in Davenport, Iowa, $300,000 shall be awarded to the Dayton Aviation Heritage National Historical Park in Ohio for education and cultural programs, $75,000 shall be awarded to the Delaware and Lehigh National Heritage Corridor, Easton, Pennsylvania, to establish a National Museum of Industrial History in Bethlehem, Pennsylvania, to display a repository of industrial machines, equipment and technology of the 19th and 20th centuries focusing on steel, $75,000 shall be awarded to the Delaware County Historical Society, Media, Pennsylvania, to develop and expand educational programs highlighting historical themes and sites relating to the Delaware County, $2,200,000 shall be awarded to the Discovery Center, Springfield, Missouri, $250,000 shall be awarded to the Downtown Chambersburg, Inc., Pennsylvania, $50,000 shall be awarded to the Eleanor Roosevelt's Papers at George Washington University for related program development, $100,000 shall be awarded to the Exploris Museum, for the Global Awareness Program, including exhibits, a film program, and educational programs, $100,000 shall be awarded to the Fine Arts Museums of San Francisco to expand educational programming and technology improvements at the de Young Museum, $1,000,000 shall be awarded to the Florida International Museum, St. Petersburg, Florida, for the Centennial Russian Museum Exhibit, $200,000 shall be awarded to the Franklin Institute, Philadelphia, Pennsylvania, for exhibits, professional development and educational programming to students to explore bioscience and biotechnology, $200,000 shall be awarded to the Frederick C. Crawford Museum of Transportation Industry, Cleveland, Ohio, for educational programming, planning and exhibits, $900,000 shall be awarded to the Fresno Metropolitan Museum of Art, History and Science, Fresno, California, for technology, exhibits, educational and outreach programs, and to develop a science-based exhibition and learning center, $100,000 shall be awarded to the Gadsden Museum of Art in Alabama for museum programs, $278,000 shall be awarded to the George Eastman House, Rochester, New York, for the ''Picture Link'' project, $100,000 shall be awarded to the Georgia Hall of Fame at Museum of Aviation in Warner Robins, Georgia, for educational activities and programs, $62,000 shall be awarded to the Glendale Public Library, Glendale, California, for personnel, equipment and other expenses to implement the Homework AssisTeens program, $200,000 shall be awarded to the Hesperia Community Library, Hesperia, California, to purchase library materials and upgrade technology, $150,000 shall be awarded to the Historical Society of Western Pennsylvania, for exhibits in conjunction with the 250th anniversary of the French and Indian War, $250,000 shall be awarded to the Holmdel Township Library, Monmouth County, New Jersey, for technology equipment and upgrades, $25,000 shall be awarded to the Hudson Waterfront Museum, Brooklyn, New York, to expand exhibits, education, arts and outreach programs, $200,000 shall be awarded to the Huntsville Museum of Art, Huntsville, Alabama, for exhibits and educational programs, $50,000 shall be awarded to the Imaginarium Science Center in Anchorage, Alaska, to develop science exhibits and distance delivery modules, $150,000 shall be awarded to the Interboro Public Library, Pennsylvania, for library programs, $150,000 shall be awarded to the International Wolf Center, Minneapolis, Minnesota, for education, outreach, and teacher training programs, $300,000 shall be awarded to the Iowa Radio Reading Information Service (IRRIS), $150,000 shall be awarded to the Italian-American Cultural Center of Iowa in Des Moines, Iowa, for exhibits, multi-media collections and for displays, $500,000 shall be awarded to the Kendall County Forest Preserve District, Yorkville, Illinois, for the consolidation and preservation of the collection at the Old Barn Museum, $2,000,000 shall be awarded to the Kent State University, Kent, Ohio, for an Institute for Library and Information Literacy Education project, $50,000 shall be awarded to the Kodiak Maritime Museum in Alaska, $150,000 shall be awarded to the Lafayette College, Easton, Pennsylvania, for technology updates to the Skillman Library, $375,000 shall be awarded to the Leon County, Florida, for purchase of equipment and books for the Ft. Braden Branch Library, $300,000 shall be awarded to the Lewis and Clark College Bicentennial Hall in Portland, Oregon, for program and equipment support, $300,000 shall be awarded to the MacKay Library of Union County, Cranford, New Jersey, $75,000 shall be awarded to the Magic Library in Kirkwood, Missouri, for design and development of interactive exhibits and software, $50,000 shall be awarded to the Marion County Library, Marion, South Carolina, to establish a computer lab, $45,000 shall be awarded to the McKinley Museum, Canton, Ohio, for equipment, $200,000 shall be awarded to the Mexic-Arte Museum, Austin, Texas, $250,000 shall be awarded to the Middletown Township Public Library, Monmouth County, New Jersey, for technology equipment and upgrades, $300,000 shall be awarded to the Monterey County Youth Museum, Monterey, California, for interactive mobile exhibits and educational programs, $250,000 shall be awarded to the Museum of African Art, New York, New York, for exhibits and educational programs, $750,000 shall be awarded to the National Baseball Hall of Fame and Museum, Cooperstown,

New York, for educational outreach using baseball to teach students through distance learning technology, $300,000 shall be awarded to the National Civil War Museum, Harrisburg, Pennsylvania, to develop and enhance educational exhibits and programs for area K-12 schools focusing on U.S. Civil War history, $90,000 shall be awarded to the National Cowgirl Museum and Hall of Fame, Fort Worth, Texas, for creation of and equipment for an audio tour of the permanent exhibition, $325,000 shall be awarded to the National Liberty Museum, Philadelphia, Pennsylvania, to institute a teacher-training program which will assist educators in responding to classroom challenges and establish a pilot program to address violence in schools, $650,000 shall be awarded to the National Mississippi River Museum and Aquarium in Dubuque, Iowa, $1,500,000 shall be awarded to the National Museum of Women in the Arts, Washington, D.C., $775,000 shall be awarded to the Native American Cultural and Educational Authority, Oklahoma City, Oklahoma, for exhibits for the museum, $75,000 shall be awarded to the Natural History Museum of Los Angeles, California, for its ''Earth Odyssey'' environmental science program, $350,000 shall be awarded to the Nevada State Historic Preservation Office, $500,000 shall be awarded to the New York Botanical Garden's Virtual Herbarium imaging project in Bronx, New York, $1,000,000 shall be awarded to the New York Hall of Science to develop, expand, and display science-related educational materials, $300,000 shall be awarded to the North Carolina State Museum of Natural Sciences, Raleigh, North Carolina, for development of environmental exhibits and educational programs, $250,000 shall be awarded to the North Dakota Lewis and Clark Bicentennial Foundation in Washburn, North Dakota, for exhibits and other interpretation, $250,000 shall be awarded to the Ogden Museum of Southern Art in New Orleans, Louisiana, $90,000 shall be awarded to the Oneonta City Library, Blount County, Alabama, for books, internet, audiovisual and reading aids, $220,000 shall be awarded to the Orangevale Library, Sacramento, California, for evaluation and analysis of existing library service, program and facilities, $400,000 shall be awarded to the Pennsylvania Trolley Museum for exhibit development and educational programs, $221,000 shall be awarded to the Pittsburgh Children's Museum, Pittsburgh, Pennsylvania, to develop and enhance educational exhibits and programs for area K–12 schools, $725,000 shall be awarded to the Please Touch Museum, Philadelphia, Pennsylvania to develop educational programs focusing on hands-on learning experiences, $75,000 shall be awarded to Rivertownes, Pennsylvania, $350,000 shall be awarded to the Rock and Roll Hall of Fame and Museum, Cleveland, Ohio, for music education programs for at-risk youth, $250,000 shall be awarded to Rutgers, the State University of New Jersey, New Brunswick, New Jersey, to catalog, organize and preserve collections at the Carey Library, $500,000 shall be awarded to the San Bernardino County Museum, California, to develop the Inland Empire Archival Heritage Center and Web Module, $50,000 shall be awarded to the Schoharie Free Library in Schoharie County, New York, to purchase books and equipment, $155,000 shall be awarded to the Science Center of Penellas County, Inc., St. Petersburg, Florida, for a planetarium project $450,000 shall be awarded to the Shaker Museum and Library, Old Chatham, New York, $100,000 shall be awarded to the Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, California, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation, $150,000 shall be awarded to the Smith Robertson Museum in Jackson, Mississippi, for the development of exhibits regarding civil rights, $25,000 shall be awarded to the St. Paul Public Library, Minnesota, to expand its School Work and Mentoring Place Program and its Small Business Resource Center, $200,000 shall be awarded to the Standing Bear Museum and Learning Center in Ponca City, Oklahoma, $75,000 shall be awarded to the State Historical Society of Iowa for Civil War flag restoration, $1,000,000 shall be awarded to the State Historical Society of Iowa in Des Moines, Iowa, for the development of exhibits for the World Food Prize, $100,000 shall be awarded to the State Theater of Easton, Easton, Pennsylvania, for technological infrastructure improvements and the development of educational programming, $125,000 shall be awarded to The International Storytelling Center in Jonesborough, Tennessee, $250,000 shall be awarded to The Museum of Science and Industry, Chicago, Illinois, for exhibits, education and outreach programs, $75,000 shall be awarded to the Tillamook County Library, Oregon, for modernization of library service, $200,000 shall be awarded to the Union city Public Library, New Jersey, for personnel, books and technology to improve library services for low-income individuals, $100,000 shall be awarded to the Union County Historical Society & Heritage Museum in Mississippi, for exhibit and program development, $400,000 shall be awarded to the University of Idaho for digital archiving, $200,000 shall be awarded to the University of Maine at Fort Kent to house the Acadian Archives which preserves, celebrates and disseminates information about the region's history, $400,000 shall be awarded to the Vietnam Archive Center, Texas Tech University, Lubbock, Texas, for digitization, $150,000 shall be awarded to the Virginia Living Museum for the expansion of its educational programs in its capital campaign project, $50,000 shall be awarded to the Wayne Art Center, Wayne, Pennsylvania, to develop programs in partnership with area K–12 schools for teacher training workshops and specialized workshops for students, $100,000 shall be awarded to the Westchester Library System, Ardsley, New York, for its digital divide online services project, $450,000 shall be awarded to the Whitney Museum of American Art to establish a touring exhibition program in Iowa, $300,000 shall be awarded to the Whittier Public Library, City of Whittier, California, to establish a children's homework center and family literacy center, $100,000 shall be awarded to the Willet Memorial Library in Macon, Georgia, for library enhancements, $150,000 shall be awarded to the Witte Museum of San Antonio, Texas, to develop the ''American Originals'' exhibit and educational programs, $100,000 shall be awarded to the Zimmer Children's Museum of Jewish Community Centers of Greater Los Angeles, Los Angeles, California, for the expansion of the YouThink program, $100,000 shall be awarded to the Zoological Society of Philadelphia, Pennsylvania, for educational programs for elementary and secondary students, and $500,000 shall be awarded to the St. Louis Children's Museum, St. Louis, Missouri, for a collaborative project with the St. Louis Public Library to create interactive exhibits and educational programs

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, $8,585,000, to be transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91–345, as amended), $1,010,000.

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, $2,858,000.

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. 141–167), and other laws, $238,982,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(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 3(f) 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 waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby 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. 151–188), including emergency boards appointed by the President, $11,315,000.

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), $9,673,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, $132,000,000, which shall include amounts becoming available in fiscal year 2003 pursuant to section 224(c)(1)(B) of Public Law 98–76; and 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 recipients and the average benefit received exceeds $132,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

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 for interest earned on unnegotiated checks, $150,000, 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, $100,000,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than $6,363,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the

Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, $20,400,000.

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, $97,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92–603, section 212 of Public Law 93–66, as amended, and section 405 of Public Law 95–216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, $23,914,392,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2004, $11,080,000,000, 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 $7,825,000,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than $1,800,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2003 not needed for fiscal year 2003 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

In addition, $111,000,000 to be derived from administration fees in excess of $5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93–66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2003 exceed $111,000,000, the amounts shall be available in fiscal year 2004 only to the extent provided in advance in appropriations Acts.

From funds previously appropriated for this purpose, any unobligated balances at the end of fiscal year 2002 shall be available to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

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, $21,000,000, together with not to exceed $62,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal 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 from the ''Limitation on Administrative Expenses'', Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

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, $16,362,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, 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 shall be used to pay the salary or 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 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 Federal 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, Federal Mediation and Conciliation Service''; 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 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. (a) It is 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, 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 debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, 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 money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by nongovernmental 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 services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term ''human embryo or embryos'' includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances 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 or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

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. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 515. Section 1708 of the United States Institute of Peace Act (22 U.S.C. 4607) is amended in subsection (g), by striking ''on or before December 31, 1970''.

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, 2003, and for other purposes.

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

TITLE I—LEGISLATIVE BRANCH APPROPRIATIONS

SENATE

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For a payment to Paul David Wellstone, Jr., son of Paul David Wellstone, late a Senator from Minnesota, $50,000; Mark D. Wellstone, son of Paul David Wellstone, late a Senator from Minnesota, $50,000; and Michael Kerner, Guardian of the Estate of Joshua Kerner, for Joshua Kerner, minor, son of Marcia Wellstone Markuson, 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, $20,000; Minority Leader of the Senate, $20,000; Majority Whip of the Senate, $10,000; Minority Whip of the Senate, $10,000; President Pro Tempore emeritus, $7,500; Chairmen of the Majority and Minority Conference Committees, $5,000 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, $5,000 for each Chairman; in all, $127,500.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $117,041,000, which shall be paid from this appropriation without regard to the following limitations:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $1,949,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $518,000.

OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS

For the Office of the President Pro Tempore emeritus, $150,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $3,094,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $2,042,000.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, $11,266,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $1,305,000 for each such committee; in all, $2,610,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $648,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $1,362,000 for each such committee; in all, $2,724,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $315,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $17,079,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $43,161,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,410,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $30,075,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $4,581,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $1,176,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense 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

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted 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, $109,450,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $520,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $7,077,000, of which $5,000,000 shall remain available until September 30, 2007.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $114,423,000, 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 of a town meeting by a Senator in a county (or equivalent unit of local government) with a population of less than 250,000 and at which the Senator will personally attend: Provided, That any amount allocated to a Senator for such mailing shall not exceed 50 percent of the cost of the mailing and the remaining cost shall be paid by the Senator from other funds available to the Senator: Provided further, That not later than October 31, 2003, the Sergeant at Arms and Doorkeeper 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 Account, $294,545,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $300,000.

ADMINISTRATIVE PROVISIONS

SEC. 1. (a) Section 111 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 95–355; 92 Stat. 532) is amended—

(1) in the second sentence (2 U.S.C. 31a–1) (relating to the Majority and Minority Leaders of the Senate) by striking ''$10,000'' and inserting ''$20,000''; and

(2) in the third sentence (2 U.S.C. 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, THE 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 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 PRESIDENT PRO TEMPORE, MAJORITY AND MINORITY LEADERS, THE MAJORITY AND MINORITY WHIPS, AND THE CHAIRMEN OF THE MAJORITY AND MINORITY CONFERENCE COMMITTEES'' under the heading ''LEGISLATIVE BRANCH'' under chapter IX of title I of the Supplemental Appropriations Act, 1985 (2 U.S.C. 31a–3; Public Law 99–88; 99 Stat. 348) (relating to the Chairmen of the Majority and Minority Conference Committees) is amended by striking ''not exceed $3,000'' and inserting ''not exceed $5,000''.

(e) Section 5 of title I of the Legislative Branch Appropriations Act, 2001, as enacted into law by section 1(a) of Public Law 106–554 (2 U.S.C. 31a–4; 114 Stat. 2763A–97) (relating to the Chairmen of the Majority and Minority Policy Committees) is amended by striking ''$3,000'' and inserting ''$5,000''.

(f) The amendments made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 2. (a) The matter under the subheading ''STATIONERY (REVOLVING FUND)'' under the heading ''CONTINGENT EXPENSES OF THE SENATE'' under the heading ''LEGISLATIVE BRANCH'' under chapter VII of title I of the Second Supplemental Appropriations Act, 1975 (2 U.S.C. 46a; Public Law 94–32; 89 Stat. 182) is amended by striking ''$4,500'' and inserting ''$8,000''.

(b) The amendment made by this section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 3. Effective on and after October 1, 2002, each of the dollar amounts contained in the table under section 105(d)(1)(A) of the Legislative Branch Appropriations Act, 1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the dollar amounts in that table, as adjusted by law and in effect on September 30, 2002, increased by an additional $50,000 each.

SEC. 4. PUBLIC SAFETY EXCEPTION TO INSCRIPTIONS REQUIREMENT ON MOBILE OFFICES. (a) IN GENERAL.—Section 3(f)(3) under the subheading ''ADMINISTRATIVE PROVISIONS'' under the heading ''SENATE'' in the Legislative Branch Appropriation Act, 1975 (2 U.S.C. 59(f)(3)) is amended by adding at the end the following flush sentence:

''The Committee on Rules and Administration of the Senate may prescribe regulations to waive or modify the requirement under subparagraph (B) if such waiver or modification is necessary to provide for the public safety of a Senator and the Senator's staff and constituents.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of enactment of this Act and apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 5. MULTI-YEAR CONTRACTING AUTHORITY. (a) Subject to regulations prescribed by the Committee on Rules and Administration of the Senate, the Secretary and the Sergeant at Arms and Doorkeeper of the Senate may—

(1) enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year to the same extent and under the same conditions as the head of an executive agency under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l); and

(2) enter into multiyear contracts for the acquisition of property and services to the same extent and under the same conditions as the head of an executive agency under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c).

(b) This section shall take effect on October 1, 2002, and shall apply in fiscal year 2003 and successive fiscal years.

SEC. 6. CONSULTANTS. (a) IN GENERAL.—Section 101 of the Supplemental Appropriations Act, 1977 (2 U.S.C. 61h–6) is amended—

(1) in subsection (a), in the first sentence by striking ''six individual consultants'' and inserting ''eight individual consultants''; and

(2) by adding at the end the following:

''(C) Each appointing authority under 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. 7. 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 employees 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.

SEC. 8. ADMINISTRATION OF ACROSS-THE-BOARD REDUCTION. In the administration of section 601 of title VI of division N of this Act, with respect to the budget authority provided under the heading ''SENATE'' under this title—

(1) the percentage rescission under subsection (a) of that section shall apply to the total amount of all funds appropriated under that heading; and

(2) the rescission may be applied without regard to subsection (b) of that section.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $956,086,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $16,530,000, including: Office of the Speaker, $1,979,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,899,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $2,309,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,624,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,214,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $446,000; Republican Steering Committee, $834,000; Republican Conference, $1,397,000; Democratic Steering and Policy Committee, $1,490,000; Democratic Caucus, $741,000; nine minority employees, $1,337,000; training and program development—majority, $290,000; training and program development—minority, $290,000; Cloakroom Personnel—majority, $340,000; and Cloakroom Personnel—minority, $340,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $476,536,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $103,421,000: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2004.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $24,200,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2004.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $152,027,000, including: for salaries and expenses of the Office of the Clerk, including not more than $13,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $20,032,000, of which $2,500,000 shall remain available until expended; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $3,000 for official representation and reception expenses, $5,097,000; for salaries and expenses of the Office of the Chief Administrative Officer, $105,363,000, of which $7,693,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $3,947,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, $6,000,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, $894,000; for the Office of the Chaplain, $149,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and $2,000 for preparing the Digest of Rules, $1,464,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,168,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $5,852,000; for salaries and expenses of the Corrections Calendar Office, $915,000; and for other authorized employees, $146,000: Provided, That of the amounts provided under this heading to the Office of the Chief Administrative Officer, up to $660,000 may be transferred to the Office of the Architect of the Capitol, subject to the approval of the Committee on Appropriations of the House of Representatives.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $183,372,000, including: supplies, materials, administrative costs and Federal tort claims, $3,384,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $178,888,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $690,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT.—Notwithstanding any other provision of law, any amounts appropriated under this Act for ''HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES'' shall be available only for fiscal year 2003. Any amount remaining after all payments are made under such allowances for fiscal year 2003 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term ''Member of the House of Representatives'' means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

SEC. 102. (a) There is hereby established in the Treasury of the United States a revolving fund for the House of Representatives to be known as the Net Expenses of Equipment Revolving Fund (hereafter in this section referred to as the ''Revolving Fund''), consisting of funds deposited by the Chief Administrative Officer of the House of Representatives from amounts provided by offices of the House of Representatives to purchase, lease, obtain, and maintain the equipment located in such offices, and amounts provided by Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress) to purchase, lease, obtain, and maintain furniture for their district offices.

(b) Amounts in the Revolving Fund shall be used by the Chief Administrative Officer without fiscal year limitation to purchase, lease, obtain, and maintain equipment for offices of the House of Representatives and furniture for the district offices of Members of the House of Representatives (including Delegates and Resident Commissioners to the Congress).

(c) The Revolving Fund shall be treated as a category of allowances and expenses for purposes of section 101(a) of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b(a)).

(d) This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year, except that for purposes of making deposits into the Revolving Fund under subsection (a), the Chief Administrative Officer may deposit amounts provided by offices of the House of Representatives during fiscal year 2002 or any succeeding fiscal year.

SEC. 103. Effective with respect to fiscal year 2003 and each succeeding fiscal year, any amount received by House Information Resources from any office of the House of Representatives as reimbursement for services provided shall be deposited in the Treasury for credit to the account of the Office of the Chief Administrative Officer of the House of Representatives.

SEC. 104. Section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) does not apply to purchases and contracts for supplies or services for any office of the House of Representatives in any fiscal year.

SEC. 105. (a) ESTABLISHMENT.—The Chief Administrative Officer shall establish a program under which an employing office of the House of Representatives may agree to repay (by direct payment on behalf of the employee) any student loan previously taken out by an employee of the office. For purposes of this section, a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) shall not be considered to be an employee of the House of Representatives.

(b) REGULATIONS.—The Committee on House Administration shall promulgate such regulations as may be necessary to carry out the program under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out the program under this section during fiscal year 2003 and each succeeding fiscal year.

PROGRAM TO INCREASE EMPLOYMENT OPPORTUNITIES IN HOUSE OF REPRESENTATIVES FOR INDIVIDUALS WITH DISABILITIES

SEC. 106. (a) IN GENERAL.—In order to promote an increase in opportunities for individuals with disabilities to provide services to the House of Representatives, the Chief Administrative Officer of the House of Representatives is authorized to—

(1) enter into 1 or more contracts with non-governmental entities to provide for the performance of services for offices of the House of Representatives by individuals with disabilities who are employees of, or under contract with, such entities; and

(2) provide reasonable accommodations, including assistive technology devices and assistive technology services, to enable such individuals to perform such services under such contracts.

(b) ELEMENTS OF PROGRAM.—The Chief Administrative Officer of the House of Representatives, in entering into any contract under subsection (a), shall seek to ensure that—

(1) traditional and nontraditional outreach efforts are used to attract individuals with disabilities for educational benefit and employment opportunities in the House;

(2) the non-governmental entity provides adequate education and training for individuals with disabilities to enhance such employment opportunities; and

(3) efforts are made to educate employing offices in the House about opportunities to employ individuals with disabilities.

(c) FUNDING.—There are authorized to be appropriated from the applicable accounts of the House of Representatives $500,000 to carry out this section for each of the fiscal years 2003 through 2007.

SEC. 107. (a) At any time on or after the date of the enactment of this Act, the Chief Administrative Officer of the House of Representatives may incur obligations and make expenditures out of available appropriations for meals, refreshments, and other support and maintenance for Members, officers, and employees of the House of Representatives when, in the judgment of the Chief Administrative Officer, such obligations and expenditures are necessary to respond to emergencies involving the safety of human life or the protection of property.

(b) Nothing in this section may be construed to affect any other authority of the Chief Administrative Officer to incur obligations and make expenditures for the items and services described in subsection (a) for Members, officers, and employees of the House of Representatives.

SEC. 108. (a) Section 312(d) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2112(d)), is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) The House of Representatives shall make payments from amounts provided in appropriations acts for salaries and expenses of the Office of the Chief Administrative Officer for the following activities carried out under this section:

''(A) The payment of the salary of the director of the center.

''(B) The reimbursement of individuals employed by the center for the cost of training classes and conferences in connection with the provision of child care services, together with the cost of travel (including transportation and subsistence) incurred in connection with such classes and conferences.''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2003 and each succeeding fiscal year.

SEC. 109. (a) Section 101 of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 95b) is amended by striking ''upon approval of the Committee on Appropriations of the House of Representatives'' each place it appears and inserting the following: ''effective upon the expiration of the 21-day period (or such alternative period that may be imposed by the Committee on Appropriations of the House of Representatives) which begins on the date such Committee has been notified of the transfer''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2003 and each succeeding fiscal year.

SEC. 110. (a) Section 202(b)(5) of the 21st Century Department of Justice Appropriations Authorization Act (Public Law 107–273; 116 Stat. 1775) is amended to read as follows:

''(5) Section 101(b) of the Legislative Branch Appropriations Act, 2000 (2 U.S.C. 130f(b)) is amended by striking 'with respect to any proceeding' and all that follows and inserting 'as required by section 530D of title 28, United States Code.'.''.

(b) Section 712(b) of the Ethics in Government Act of 1978 (2 U.S.C. 288k(b)), as amended by section 202(b)(2) of the 21st Century Department of Justice Appropriations Authorization Act, is amended by inserting '', United States Code'' after ''title 28''.

(c) The amendments made by this section shall take effect as if included in the enactment of the 21st Century Department of Justice Appropriations Authorization Act.

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, $7,643,000, 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 $580 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, which shall be advanced and credited to 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 of Representatives.

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 disbursed by the Secretary of the Senate: Provided, That no part of such amount may be used to employ more than 58 individuals: Provided further, That the Capitol Guide Board 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 expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $28,100,000, of which $1,400,000 shall remain available until expended, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2003 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

ADMINISTRATIVE 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 Committees on Appropriations of the Senate and the House of Representatives.

SEC. 1002. CAPITOL POLICE CONTRACT AUTHORITY. (a) IN GENERAL.—The United States Capitol Police may—

(1) enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year to the same extent as the head of an executive agency under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l); and

(2) enter into multiyear contracts for the acquisitions of property and nonaudit-related services to the same extent as executive agencies under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1003. DISPOSAL OF SURPLUS PROPERTY. (a) IN GENERAL.—Within the limits of available appropriations, the Capitol Police may dispose of surplus or obsolete property of the Capitol Police by interagency transfer, donation, sale, trade-in, or other appropriate method.

(b) AMOUNTS RECEIVED.—Any amounts received by the Capitol Police from the disposition of property under subsection (a) shall be credited to the account established for the general expenses of the Capitol Police, and shall be available to carry out the purposes of such account during the fiscal year in which the amounts are received and the following fiscal year.

(c) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1004. RECRUITMENT AND RELOCATION BONUSES. Section 909 of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2320) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''the Board determines that the Capitol Police would be likely, in the absence of such a bonus, to encounter difficulty in filling the position'' and inserting ''the Chief, in the Chief's sole discretion, determines that such a bonus will assist the Capitol Police in recruitment efforts''; and

(B) by adding at the end the following:

''(6) DETERMINATION NOT APPEALABLE OR REVIEWABLE.—Any determination of the Chief under this subsection shall not be appealable or reviewable in any manner.'';

(2) by striking subsections (e) and (f)(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 of any rule or regulation providing for the mandatory separation of members of the Capitol Police on the basis of age, or any provision of law or any rule or regulation regarding the calculation of retirement or other benefits for members of the Capitol Police.

SEC. 1006. RETENTION ALLOWANCES. Section 909(b) of the Emergency Supplemental Act, 2002 (Public Law 107–117; 115 Stat. 2320) is amended—

(1) in paragraph (1)—

(A) by striking subparagraphs (A) and (B); and

(B) by striking ''if—'' and inserting ''if the Chief, in the Chief's sole discretion, determines that such a bonus will assist the Capitol Police in retention efforts.''; and

(2) in paragraph (3), by striking ''the reduction or the elimination of a retention allowance 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 to read as follows:

''EDUCATIONAL ASSISTANCE PROGRAM FOR EMPLOYEES

''SEC. 908. (a) ESTABLISHMENT.—In order to recruit or 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 agree—

''(1) to repay (by direct payments on behalf of the participating employee) all or any portion of a student loan previously taken out by the employee;

''(2) to make direct payments to an educational institution on behalf of a participating employee or to reimburse a participating employee for all or any portion of any tuition or related educational expenses paid by the employee.

''(b) SPECIAL RULES FOR STUDENT LOAN REPAYMENTS.—

''(1) APPLICATION OF REGULATIONS UNDER EXECUTIVE BRANCH PROGRAM.—In carrying out subsection (a)(1), the Chief of the Capitol Police may, by regulation, make applicable such provisions of section 5379 of title 5, United States Code, as the Chief 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) USE OF RECOVERED AMOUNTS.—Any amount repaid by, or recovered from, an individual under subsection (a)(1) and its implementing regulations shall be credited to the appropriation account available for salaries or general expenses of the Capitol Police at the time of repayment or recovery. Such credited amount may be used for any authorized purpose of the account 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.

''(e) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2003 and each succeeding fiscal year.''.

SEC. 1008. APPLICABLE PAY RATE UPON APPOINTMENT. (a) IN GENERAL.—Notwithstanding any other provision of law, the rate of basic pay payable to an individual upon appointment to a position with the Capitol Police shall be at a rate within the minimum and maximum pay rates applicable to the position.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1009. OVERTIME COMPENSATION FOR OFFICERS AT RANK OF LIEUTENANT OR HIGHER. (a) IN GENERAL.—The Chief of the Capitol Police may provide for the compensation of overtime work of officers of the Capitol Police at the rank of lieutenant and higher. Nothing in this subsection may be construed to affect the compensation of overtime work of officers of the Capitol Police at any rank not described in the previous sentence.

(b) TERMS AND CONDITIONS.—In providing for the compensation of overtime work under this section, the Chief shall provide the compensation in the same manner and subject to the same terms and conditions which are applicable to the compensation of overtime work of officers and members of the United States Secret Service Uniformed Division and the United States Park Police who serve at the rank of lieutenant and higher, in accordance with section 1 of the Act entitled ''An Act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, and the White House Police force, and for other purposes'', approved August 15, 1950 (sec. 5–1304, D.C. Official Code).

SEC. 1010. TRAINING PROGRAMS FOR PERSONNEL. (a) IN GENERAL.—Chapter 41 of title 5, United States Code, is amended by adding at the end the following new section:

''§ 4120. Training for employees of the Capitol Police

''(a) The Chief of the Capitol Police may, by regulation, make applicable such provisions of this chapter as the Chief determines necessary to provide for training of employees of the Capitol Police. The regulations shall provide for training which, in the determination of the

Chief, is consistent with the training provided by agencies under the preceding sections of this chapter.

''(b) The Office of Personnel Management shall provide the Chief of the Capitol Police with such advice and assistance as the Chief may request in order to enable the Chief to carry out the purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 41 of such title is amended by adding at the end the following:

''4120. Training for employees of the Capitol Police.''.

SEC. 1011. ADDITIONAL COMPENSATION FOR EMPLOYEES WITH SPECIALTY ASSIGNMENTS AND PROFICIENCIES. (a) ESTABLISHMENT OF POSITIONS.—The Chief of the Capitol Police may establish and determine, from time to time, positions in salary classes of employees of the Capitol Police to be designated as employees with specialty assignments or proficiencies, based on the experience, education, training, or other appropriate factors required to carry out the duties of such employees.

(b) ADDITIONAL COMPENSATION.—In addition to the regularly scheduled rate of basic pay, each employee holding a position designated under this section shall receive an amount determined by the Chief, except that—

(1) such amount may not exceed 25 percent of the employee's annual rate of basic pay; and

(2) such amount may not be paid in a calendar year to the extent that, when added to the total basic pay paid or payable to such employee for service performed in the year, such amount would cause the total to exceed the annual rate of basic pay payable for level II of the Executive Schedule, as of the end of such year.

(c) MANNER OF PAYMENT.—The additional compensation authorized by this subsection shall be paid to an employee in a manner determined by the Chief or his designee except when the employee ceases to be assigned to the specialty assignment or ceases to maintain the required proficiency. The loss of such additional compensation shall not constitute an adverse action for any purpose.

(d) DETERMINATION NOT APPEALABLE OR REVIEWABLE.—Any determination under section (a) shall not be appealable or reviewable in any manner.

SEC. 1012. APPLICATION OF PREMIUM PAY LIMITS ON ANNUALIZED BASIS. (a) IN GENERAL.—Any limits on the amount of premium pay which may be earned by officers and members of the Capitol Police during emergencies (as determined by the Capitol Police Board) shall be applied by the Chief of the Capitol Police on an annual basis and not on a pay period basis. Any determination under this subsection shall not be reviewable or appealable in any manner.

(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to hours of duty occurring on or after September 11, 2001.

SEC. 1013. (a) Subsection (c) of the first section of Public Law 96–152 (2 U.S.C. 1902) is amended to read as follows:

''(c) The annual rate of pay for the Chief of the Capitol Police shall be the amount equal to $1,000 less than the lower of the annual rate of pay in effect for the Sergeant-at-Arms of the House of Representatives or the annual rate of pay in effect for the Sergeant-at-Arms and Doorkeeper of the Senate.''.

(b) Section 907(b) of the Emergency Supplemental Act, 2002 (2 U.S.C. 1901 note) is amended to read as follows:

''(b) The annual rate of pay for the Assistant Chief of the Capitol Police shall be the amount equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.''.

(c) Section 108(a)(4) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)(4)) is amended to read as follows:

''(4) The annual rate of pay for the Chief Administrative Officer shall be the amount equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.''.

(d) The amendments made by this section shall apply with respect to the first pay period beginning on or after the date of the enactment of this Act.

SEC. 1014. (a) CAPITOL POLICE BOARD; COMPOSITION; REDEFINING MISSION.—

(1) PURPOSE.—The purpose of the Capitol Police Board is to oversee and support the Capitol Police in its mission and to advance coordination between the Capitol Police and the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, in their law enforcement capacities, and the Congress. Consistent with this purpose, the Capitol Police Board shall establish general goals and objectives covering its major functions and operations to improve the efficiency and effectiveness of its operations.

(2) COMPOSITION.—The Capitol Police Board shall consist of the Sergeant at Arms of the House of Representatives, the Sergeant at Arms and Doorkeeper of the Senate, the Chief of the Capitol Police, and the Architect of the Capitol. The Chief of Capitol Police shall serve in an ex-officio capacity and be a non-voting member of the Board.

(b) INITIAL REVIEW AND REPORT.—Not later than 180 days after the date of the enactment of this Act, the Capitol Police Board shall—

(1) examine the mission of the Capitol Police Board and, based on that analysis, redefine the Capitol Police Board's mission, mission-related processes, and administrative processes;

(2) conduct an assessment of the effectiveness and usefulness of its statutory functions in contributing to the Capitol Police Board's ability to carry out its mission and meet its goals, including an explanation of the reasons for any determination that the statutory functions are appropriate and advisable in terms of its purpose, mission, and long-term goals; and

(3) submit to the Speaker and minority leader of the House of Representatives and the President pro tempore and minority leader of the Senate a report on the results of its examination and assessment, including recommendations for any legislation that the Capitol Police Board considers appropriate and necessary.

(c) EXECUTIVE ASSISTANT.—

(1) ESTABLISHMENT.—There shall be established in the Capitol Police an Executive Assistant for the Capitol Police Board to act as a central point for communication and enhance the overall effectiveness and efficiency of the Capitol Police Board's administrative activities.

(2) APPOINTMENT.—The Executive Assistant shall be appointed by the Chief of the Capitol Police in consultation with the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate.

(3) DUTIES.—The Executive Assistant shall be assigned to, and report to, the Chairman of the Board. The Executive Assistant shall assist the Capitol Police Board in developing, documenting, and implementing a clearly defined process for additional tasks assigned to the Capitol Police Board under this section, and shall perform any additional duties assigned by the Capitol Police Board.

(d) DOCUMENTATION.—

(1) FUNCTIONS AND PROCESSES.—The Capitol Police Board shall document its functions and processes, including its mission statement, policies, directives, and operating procedures established or revised under subsection (a)(1) or (b), and make such documentation available for examination to the Speaker and minority leader of the House of Representatives, the President pro tempore and minority leader of the Senate, the Chief of the Capitol Police, and the Comptroller General.

(2) MEETINGS.—The Capitol Police Board shall document Board meetings and make the documentation available for distribution to the Speaker and minority leader of the House of Representatives and the President pro tempore and minority leader of the Senate.

(e) ASSISTANCE OF COMPTROLLER GENERAL.—Upon request, the Comptroller General shall provide assistance to the Capitol Police Board in carrying out its responsibilities under this subsection.

(f) REFERENCES IN LAW; EFFECT ON OTHER LAWS.—(1) Any reference in any law or resolution in effect as of the date of the enactment of this Act to the ''Capitol Police Board'' shall be deemed to refer to the Capitol Police Board as composed under subsection (a)(2).

(2) Nothing in this section shall be construed to affect the jurisdiction, powers, or prerogatives of the Capitol Police Board or its individual members unless specifically provided herein.

SEC. 1015. TRANSFER OF LIBRARY OF CONGRESS POLICE TO THE UNITED STATES CAPITOL POLICE. (a) TRANSFER OF LIBRARY OF CONGRESS POLICE TO THE UNITED STATES CAPITOL POLICE.—

(1) TRANSFER OF PERSONNEL AND FUNCTIONS.—There are transferred to the United States Capitol Police—

(A) each Library of Congress Police employee; and

(B) any functions performed under the first section of the Act of August 4, 1950 (2 U.S.C. 167) and section 9 of that Act (2 U.S.C. 167h) (as in effect immediately before the effective date of this section).

(2) EFFECT ON PERSONNEL.—

(A) ANNUAL AND SICK LEAVE.—Any annual or sick leave to the credit of an individual transferred under paragraph (1) shall be transferred to the credit of that individual as an employee of the United States Capitol Police.

(B) SERVICE PERFORMED FOR RETIREMENT PURPOSES.—For those Library of Congress Police employees transferred under paragraph (1)(A), any period of service performed by a Library of Congress Police employee shall be deemed to be service performed as a member of the United States Capitol Police for purposes of chapters 83 and 84 of title 5, United States Code.

(C) VACANCIES.—Notwithstanding any other provision of law, upon the date of enactment of this section and until completion of the transfer under paragraph (1), vacancies in Library of Congress police employee positions, if filled, shall be filled in accordance with the employment standards of the United States Capitol Police, to the extent practicable as determined by the Chief of the Capitol Police.

(3) EFFECTIVE DATE OF TRANSFER OF PERSONNEL AND FUNCTIONS.—Library of Congress employees transferred to the United States Capitol Police under paragraph (1)(A), and Library of Congress functions transferred under paragraph (1)(B) shall be transferred to the United States Capitol Police upon approval of the Committees on Appropriations of the House and Senate and the appropriate authorizing committees.

(b) TRANSITION.—

(1) IMPLEMENTATION PLAN.—

(A) PLAN.—Not later than 180 days after the date of enactment of this section, the Chief of the Capitol Police shall prepare and submit to the appropriate committees of Congress for approval, and to the Capitol Police Board and the Librarian of Congress, a plan—

(i) describing the policies and procedures, and actions the Chief of the Capitol Police will take in implementing the transfer provisions under this section;

(ii) establishing dates by which Library of Congress personnel and functions authorized to be transferred under subsection (a)(1) shall be transferred to the United States Capitol Police;

(iii) in consultation with the Librarian of Congress, providing for the performance of law enforcement and protection functions relating to the buildings and grounds of the Library of Congress, including collections security, within the overall security responsibilities of the United States Capitol Police;

(iv) recommending legislative changes needed to implement the transfers under subsection (a)(1), including—

(I) identifying options for addressing how to apply United States Capitol Police retirement provisions to such transferred personnel;

(II) identifying options related to providing voluntary separation incentives to transferred personnel; and

(III) identifying options to ensure the Librarian of Congress maintains appropriate authority to execute his security responsibilities;

(v) detailing the mechanisms to be used by the Chief of the Capitol Police for ensuring that Library of Congress employees transferred to the United States Capitol Police under subsection (a)(1) are not adversely affected by the transfer with respect to pay;

(vi) addressing—

(I) how United States Capitol Police training and qualification requirements will be applied to Library of Congress employees transferred under subsection (a)(1); and

(II) the overall training needs of the merged police force; and

(vii) providing an analysis of the cost implications of implementing the plan.

(2) IMPLEMENTATION REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter until the transfer is fully implemented, the Chief of the Capitol Police shall prepare and submit a report to the appropriate committees of Congress, the Capitol Police Board, and the Librarian of Congress, on the Chief of the Capitol Police's progress in implementing the plan required in paragraph (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'', approved August 4, 1950 (2 U.S.C. 167 et seq.); and

(2) the term ''Library of Congress Police employee''—

(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) EFFECTIVE DATE.—Except as otherwise provided in this section, this section shall take effect on the date of enactment of this section.

SEC. 1016. CLARIFICATION OF AUTHORITY OF CAPITOL POLICE TO POLICE BOTANIC GARDEN. (a) BUILDINGS.—Section 5101 of title 40, United States Code, is amended by inserting ''all buildings on the real property described under section 5102(c) (including the Administrative Building of the United States Botanic Garden),'' after ''Capitol Power Plant,''.

(b) GROUNDS.—Section 5102 of title 40, United States Code, is amended by adding at the end the following:

''(c) NATIONAL GARDEN OF THE UNITED STATES BOTANIC GARDEN.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the United States Capitol Grounds shall include—

''(A) the National Garden of the United States Botanic Garden;

''(B) all grounds contiguous to the Administrative Building of the United States Botanic Garden, including Bartholdi Park; and

''(C) all grounds bounded by the curblines of First Street, Southwest on the east; Washington Avenue, Southwest to its intersection with Independence Avenue, and Independence Avenue from such intersection to its intersection with Third Street, Southwest on the south; Third Street, Southwest on the west; and Maryland Avenue, Southwest on the north.

''(2) MAINTENANCE AND IMPROVEMENTS.—Notwithstanding subsections (a) and (b), jurisdiction and control over the buildings on the grounds described in paragraph (1) shall be retained by the Joint Committee on the Library, and the Joint Committee on the Library shall continue to be solely responsible for the maintenance and improvement of the grounds described in such paragraph.

''(3) AUTHORITY NOT LIMITED.—Nothing in this subsection shall limit the authority of the Architect of the Capitol under section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c).''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 9(a) of the Act of July 31, 1946 (2 U.S.C. 1961(a)) is amended by striking ''sections 193a to 193m, 212a, 212a–2, and 212b of this title and regulations promulgated under section 212b of this title,'' and inserting ''this Act (and regulations promulgated under section 14 of this Act (2 U.S.C. 1969)), and chapter 51 of title 40, United States Code,''.

(d) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1017. CAPITOL POLICE SPECIAL OFFICERS. (a) IN GENERAL.—In the event of an emergency, as determined by the Capitol Police Board or in a concurrent resolution of Congress, the Chief of the Capitol Police may appoint—

(1) any law enforcement officer from any Federal agency or State or local government agency made available by that agency to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds; and

(2) any member of the uniformed services, including members of the National Guard, made available by the appropriate authority to serve as a special officer of the Capitol Police within the authorities of the Capitol Police in policing the Capitol buildings and grounds.

(b) CONDITIONS OF APPOINTMENT.—An individual appointed as a special officer under this section shall—

(1) serve without pay for service performed as a special officer (other than pay received from the applicable employing agency or service);

(2) serve as a special officer 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 paragraph (4); and

(4) shall be an employee of the Government for purposes of chapter 171 of title 28, United States Code, if that 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) 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.

(e) Any appointment under this section shall be subject to initial approval by the Capitol Police Board and to final approval by the Speaker of the House of Representatives (in consultation with the Minority Leader of the House of Representatives) and the President pro tempore of the Senate (in consultation with the Minority Leader of the Senate), acting jointly.

(f) Subject to approval by the Speaker of the House of Representatives (in consultation with the Minority Leader of the House of Representatives) and the President pro tempore of the Senate (in consultation with the Minority Leader of the Senate), acting jointly, the Capitol Police Board may 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.

SEC. 1018. TRANSFER OF DISBURSING FUNCTION. (a) IN GENERAL.—

(1) DISBURSING OFFICER.—The Chief of the Capitol Police shall be the disbursing officer for the Capitol Police. Any reference in any law or resolution before the date of enactment of this section to funds paid or disbursed by the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate relating to the pay and allowances of Capitol Police employees shall be deemed to refer to the Chief of the Capitol Police.

(2) TRANSFER.—Any statutory function, duty, or authority of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate as disbursing officers for the Capitol Police shall transfer to the Chief of the Capitol Police as the single disbursing officer for the Capitol Police.

(3) CONTINUITY OF FUNCTION DURING TRANSITION.—Until such time as the Chief notifies the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate that systems are in place for discharging the disbursing functions under this subsection, the House of Representatives and the Senate shall continue to serve as the disbursing authority on behalf of the Capitol Police.

(b) TREASURY ACCOUNTS.—

(1) SALARIES.—

(A) IN GENERAL.—There is established in the Treasury of the United States a separate account for the Capitol Police, into which shall be deposited appropriations received by the Chief of the Capitol Police and available for the salaries of the Capitol Police.

(B) TRANSFER AUTHORITY DURING TRANSITION.—Until such time as the Chief notifies the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate that systems are in place for discharging the disbursing functions under subsection (a), the Chief shall have the authority to transfer amounts in the account to the House of Representatives and the Senate to the extent necessary to enable the Chief Administrative Officer of the House of Representatives and the Secretary of the Senate to continue to serve as the disbursing authority on behalf of the Capitol Police pursuant to subsection (a)(3).

(2) GENERAL EXPENSES.—There is established in the Treasury of the United States a separate account for the Capitol Police, into which shall be deposited appropriations received by the Chief of the Capitol Police and available for the general expenses of the Capitol Police.

(c) TRANSFER OF FUNDS, ASSETS, ACCOUNTS, RECORDS, AND AUTHORITY.—

(1) IN GENERAL.—The Chief Administrative Officer of the House of Representatives and the Secretary of the Senate are authorized and directed to transfer to the Chief of the Capitol Police all funds, assets, accounts, and copies of original records of the Capitol Police that are in the possession or under the control of the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate in order that all such items may be available for the unified operation of the Capitol Police. Any funds so transferred shall be deposited in the Treasury accounts established under subsection (b) and be available to the Chief of the Capitol Police for the same purposes as, and in like manner and subject to the same conditions as, the funds prior to the transfer.

(2) EXISTING TRANSFER AUTHORITY.—Any transfer authority existing before the date of enactment of this Act granted to the Chief Administrative Officer of the House of Representatives or the Secretary of the Senate for salaries, expenses, and operations of the Capitol Police shall be transferred to the Chief of the Capitol Police.

(d) UNEXPENDED BALANCES.—Except as may otherwise be provided in law, the unexpended balances of appropriations for the fiscal year 2003 and succeeding fiscal years that are subject to disbursement by the Chief of the Capitol Police shall be withdrawn as of September 30 of the fifth fiscal year following the period or year for which provided. Unpaid obligations chargeable to any of the balances so withdrawn or appropriations for prior years shall be liquidated from

any appropriations for the same general purpose, which, at the time of payment, are available for disbursement.

(e) HIRING AUTHORITY; ELIGIBILITY FOR SAME BENEFITS AS HOUSE EMPLOYEES.—

(1) AUTHORITY.—

(A) IN GENERAL.—Subject to subparagraph (B), the Chief of the Capitol Police, in carrying out the duties of office, is authorized to appoint, hire, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to and in accordance with applicable laws and regulations.

(B) REVIEW AND APPROVAL.—In carrying out the authority under this paragraph, the Chief of the Capitol Police shall be subject to the following requirements:

(i) The appointment and termination of any officer, member, or employee shall be subject to the approval of the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

(ii) The promotion of any noncivilian officer, member, or employee to any rank higher than Private First Class, and the promotion of any civilian employee to any position, shall be subject to the approval of the Committees referred to in clause (i).

(iii) The establishment of any new position for officers, members, or employees shall be subject to the approval of the Committees referred to in clause (i).

(2) BENEFITS.—Employees of the Capitol Police who are appointed by the Chief under the authority of this subsection shall be subject to the same type of benefits (including the payment of death gratuities, the withholding of debt, and health, retirement, Social Security, and other applicable employee benefits) as are provided to employees of the House of Representatives, and any such individuals serving as employees of the Capitol Police as of the date of enactment of this Act shall be subject to the same rules governing rights, protections, pay, and benefits in effect immediately before such date until such rules are changed under applicable laws or regulations.

(f) WORKER'S COMPENSATION.—

(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.

(g) EFFECT ON EXISTING LAW.—

(1) IN GENERAL.—The provisions of this section shall not be construed to 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.

(2) SUPERSEDING PROVISIONS.—All provisions of law inconsistent with this section are hereby superseded to the extent of the inconsistency.

(h) CONFORMING AMENDMENTS.—(1) Section 1821 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. 1921) is repealed.

(3) Section 111 of title I of the Act entitled ''Making supplemental appropriations for the fiscal year ending September 30, 1977, and for other purposes'', approved May 4, 1977 (2 U.S.C. 64–3), is amended—

(A) by striking ''Secretary of the Senate'' and inserting ''Chief of the Capitol Police''; and

(B) by striking ''United States Senate'' and inserting ''Capitol Police''.

(i) EFFECTIVE DATE.—This section and the 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. 1019. (a) LONG TERM STRATEGIC PLAN.—

(1) IN GENERAL.—The Chief of the United States Capitol Police, in consultation with the Comptroller General, shall develop a long term strategic plan which outlines the goals and objectives of the Capitol Police.

(2) ANNUAL UPDATE.—During the period in which the strategic plan developed under this subsection is in effect, the Chief shall annually update the plan.

(3) PERIOD COVERED BY PLAN.—The strategic plan under this subsection shall cover the first 5 fiscal years which begin after the plan is developed.

(b) ANNUAL PERFORMANCE PLAN.—

(1) IN GENERAL.—With respect to each year which is covered by the strategic plan developed under subsection (a), the Chief of the Capitol Police, in consultation with the Comptroller General, shall develop an annual performance plan for implementing the goals and objectives of the strategic plan during the year.

(2) CONTENTS.—The annual performance plan developed under this subsection for a year shall include performance goals for each of the goals and objectives of the strategic plan which apply during the year, and shall include (to the extent practicable) quantifiable performance measures for determining the success of the Capitol Police in meeting each such performance goal.

(3) EVALUATION BY COMPTROLLER GENERAL.—The Comptroller General shall annually evaluate the implementation of the plan and the extent to which the Capitol Police have met the performance goals of the plan, and shall provide the results of the evaluation to the Capitol Police Board, the Committees on Appropriations of the House of Representatives and Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.

(c) INITIAL ACTION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Chief of the Capitol Police shall develop an initial action plan describing the policies, procedures, and actions the Chief will carry out to meet the requirements of this section and setting forth a timetable for carrying out each such policy, procedure, and action, and shall submit such plan (upon the approval of the Capitol Police Board) to the Committees on Appropriations of the House of Representatives and Senate, the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate.

SEC. 1020. 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 1004, 1006, 1007 and 1011 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. 1385), $2,059,000, of which $254,000 shall remain available until September 30, 2004: Provided, That the Executive Director of the Office of Compliance may have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by interagency transfer, donation, or discarding.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $32,101,000, of which not more than $100,000 is to remain available until September 30, 2006, for the acquisition and partial support for implementation of a Central Financial Management System: Provided, That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS

SEC. 1101. (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 in other agencies, study, or uncompensated work experience which will contribute to the employees' development and effectiveness.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

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; for all necessary 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, $59,343,000, 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, $32,094,000, of which $19,065,000 shall remain available until September 30, 2007.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $8,356,000, of which $1,780,000 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.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $60,960,000, of which $25,610,000 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, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate 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 Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary 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.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $37,521,000, of which $18,014,000 shall remain available until September 30, 2007 and $5,500,000 shall remain available until expended.

CAPITOL POLICE BUILDINGS AND GROUNDS

(INCLUDING TRANSFER OF FUNDS)

For all necessary expenses for the maintenance, care, and operation of buildings and grounds of the United States Capitol Police, $23,900,000, of which $23,500,000 shall remain available until September 30, 2007: Provided, That $22,000,000 of the amount provided is withheld from obligation subject to the notification of the Committees on Appropriations of the House of Representatives and Senate: Provided further, That any amounts provided to the Architect of the Capitol prior to the date of the enactment of this Act for maintenance, care, and operation of buildings of the United States Capitol Police which remain unobligated as of the date of the enactment of this Act shall be transferred to the account under this heading.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $6,103,000, of which $120,000 shall remain available until September 30, 2007: Provided, That this appropriation shall not be available for any activities of the National Garden.

ADMINISTRATIVE PROVISIONS

SEC. 1201. SMALL PURCHASE CONTRACTING AUTHORITY. (a) IN GENERAL.—Notwithstanding any other provision of law—

(1) section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall apply with respect to purchases and contracts for the Architect of the Capitol as if the reference to ''$25,000'' in paragraph (1) of such section were a reference to ''$100,000''; and

(2) the Architect may procure services, equipment, and construction for security related projects in the most efficient manner he determines appropriate.

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1202. MULTI-YEAR CONTRACT AUTHORITY. (a) IN GENERAL.—The Architect of the Capitol may—

(1) enter into contracts for the acquisition of severable services for a period that begins in 1 fiscal year and ends in the next fiscal year to the same extent as the head of an executive agency under the authority of section 303L of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l); and

(2) enter into multiyear contracts for the acquisitions of property and nonaudit-related services to the same extent as executive agencies under the authority of section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c).

(b) EFFECTIVE DATE.—This section shall apply to fiscal year 2003 and each fiscal year thereafter.

SEC. 1203. DEPUTY ARCHITECT OF THE CAPITOL/CHIEF OPERATING OFFICER. (a) ESTABLISHMENT OF DEPUTY ARCHITECT OF THE CAPITOL.—There shall be a Deputy Architect of the Capitol who shall serve as the Chief Operating Officer of the 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 be subject to the authority of the Architect of the Capitol. The Architect of the Capitol shall appoint the Deputy Architect of the Capitol not later than 90 days after the date of enactment of this Act. The Architect of the Capitol shall consult with the Comptroller General or his designee before making the appointment.

(b) QUALIFICATIONS.—The Deputy Architect of the Capitol shall have strong leadership skills and demonstrated ability in management, including in such areas as strategic planning, performance management, worker safety, customer satisfaction, and service quality.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Deputy Architect of the Capitol shall be responsible to the Architect of the Capitol for the overall direction, 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 covering a period of not less than 5 years for the Office of the Architect of the Capitol;

(B) developing and implementing an annual performance plan that includes annual performance goals covering each of the general goals and objectives in the strategic plan and including to the extent practicable quantifiable performance measures for the annual goals;

(C) proposing organizational changes and staffing needed 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.

(d) ADDITIONAL RESPONSIBILITIES.—The Architect of the Capitol may delegate to the Deputy Architect such additional duties as the Architect determines are necessary or appropriate.

(e) ACTION PLAN.—

(1) IN GENERAL.—No later than 90 days after the appointment, the Deputy Architect shall prepare and submit to the Committees on Appropriations of the House of Representatives and Senate and the Committee on Rules and Administration of the Senate, an action plan describing the policies, procedures, and actions the Deputy Architect will implement and timeframes for carrying out the responsibilities under this section.

(2) ACTION PLAN.—The action plan shall be—

(A) approved and signed by both the Architect of the Capitol and the Deputy Architect; and

(B) developed concurrently and consistent with the development of a strategic plan.

(3) ADDITIONAL SENIOR POSITIONS.—Notwithstanding section 108(a) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 1839), as amended by section 129(c) of the Legislative Branch Appropriations Act, 2002, the Architect of the Capitol may fix the rate of basic pay for not more than 3 additional positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved.

(f) EVALUATION.—The General Accounting Office shall evaluate annually the implementation of the action plan and provide the results of the evaluation to the Architect of the Capitol, the Committees on Appropriations of the House of Representatives and Senate and the Committee on Rules and Administration of the Senate.

(g) REMOVAL.—The Deputy Architect of the Capitol may be removed by the Architect of the Capitol for misconduct or failure to meet performance goals set forth in the performance agreement in subsection (i). Upon the removal of the Deputy Architect of the Capitol, the Architect of the Capitol shall immediately notify in writing the Committees on Appropriations of the House of Representatives and Senate, and the Committee on Rules and Administration of the Senate, stating the specific reasons for the removal.

(h) COMPENSATION.—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 $1,500 less than the annual rate of pay for the Architect of the Capitol.

(i) ANNUAL PERFORMANCE REPORT.—The Deputy Architect of the Capitol shall prepare and transmit to the Architect of the Capitol an annual performance report. This report shall contain an evaluation of the extent to which the Office of the Architect of the Capitol met its goals and objectives.

(j) TERMINATION OF ROLE.—As of October 1, 2006, 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 proviso under the subheading ''SALARIES'' under the heading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Branch Appropriations Act, 1971 (2 U.S.C. 1805) is amended by striking ''Assistant Architect'' and inserting ''Deputy Architect''.

SEC. 1205. DELEGATION OF AUTHORITY BY ARCHITECT OF THE CAPITOL. The matter under the subheading ''OFFICE OF THE ARCHITECT OF THE CAPITOL'' under the heading ''ARCHITECT OF THE CAPITOL'' of the Legislative Appropriation Act, 1956 (2 U.S.C. 1804) is amended by striking ''Architect of the Capitol is authorized'' through ''proper'' and inserting ''Architect of the Capitol may delegate to the assistants of the Architect such authority of the Architect as the Architect may determine proper, except those authorities, duties, and responsibilities specifically assigned to the Deputy Architect of the Capitol by the Legislative Branch Appropriations Act, 2003''.

SEC. 1206. ASSISTANT ARCHITECT. Notwithstanding any other provision of law, the compensation of the Assistant Architect who is incumbent in that position when the position of Assistant Architect is abolished shall not be reduced so long as the former Assistant Architect is employed at the Office of the Architect of the Capitol. Whenever the Architect of the Capitol receives a pay adjustment after the date of enactment of this section, the compensation of such former Assistant Architect shall be adjusted by the same percentage as the compensation of the Architect of the Capitol. The authority granted in this section shall be in addition to the authority the Architect of the Capitol has in section 129(c)(1)(A) of the Legislative Branch Appropriations Act, 2002, as amended by this Act, to fix the rate of basic pay for not more than 15 positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service under subchapter VIII of chapter 53 of title 5, United States Code, for the locality involved.

SEC. 1207. SENATE STAFF HEALTH AND FITNESS FACILITY. Section 4 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 121f) is amended—

(1) in subsection (a), by inserting ''Staff'' after ''Senate'';

(2) in subsection (b)(1), by inserting ''Staff'' after ''Senate'';

(3) in subsection (c), by inserting ''Staff'' after ''costs of the Senate'';

(4) in subsection (d), by inserting ''Staff'' after ''Senate''; and

(5) by striking subsection (e) and inserting the following:

''(e) The Committee on Rules and Administration of the Senate shall promulgate regulations pertaining to the operation and use of the Senate Staff Health and Fitness Facility.''.

SEC. 1208. ALLOCATION OF RESPONSIBILITY FOR LIBRARY BUILDINGS AND GROUNDS. (a) IN GENERAL.—The first section of the Act of June 29, 1922 (2 U.S.C. 141) is amended to read as follows:

''SECTION 1. ALLOCATION OF RESPONSIBILITIES FOR LIBRARY BUILDINGS AND GROUNDS.

''(a) ARCHITECT OF THE CAPITOL.—

''(1) IN GENERAL.—The Architect of the Capitol shall have charge of all work at the Library of Congress buildings and grounds (as defined in section 11 of the Act entitled 'An Act relating to the policing of the buildings of the Library of Congress' approved August 4, 1950 (2 U.S.C. 167(j)) 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 for 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.

''(b) LIBRARIAN OF CONGRESS.—The Librarian of Congress shall have charge of all work (other than work under subsection (a)) at the Library of Congress buildings and grounds.

''(c) TRANSFER OF FUNDS.—The Architect of the Capitol and the Librarian of Congress may enter into agreements with each other to perform work under this section, and, subject to the approval of the Committees on Appropriations 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.

SEC. 1209. Notwithstanding any other provision of law, the Architect of the Capitol may accept appropriations and services from other federal agencies for the purpose of enhancing security for projects under his jurisdiction upon the prior approval of the Committees on Appropriations of the House and the Senate.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $358,474,000, of which not more than $6,500,000 shall be derived from collections credited to this appropriation during fiscal year 2003, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2003 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than the $6,850,000: Provided further, That of the total amount appropriated, $10,886,000 is to remain available until expended for acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: Provided further, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, $911,000 shall remain available until expended for the acquisition and partial support for implementation of an Integrated Library System (ILS): Provided further, That of the total amount appropriated, $11,100,000 shall remain available until expended for the purpose of teaching educators how to incorporate the Library's digital collections into school curricula and shall be transferred to the educational consortium formed to conduct the ''Joining Hands Across America: Local Community Initiative'' project as approved by the Library: Provided further, That of the amount appropriated, $500,000 shall remain available until expended, and shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106–173, of which amount $10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: Provided further, That of the total amount appropriated, $4,250,000 shall remain available until September 30, 2007 for the acquisition and partial support for implementation of a Central Financial Management System: Provided further, That of the total amount appropriated, $789,000 shall remain available until September 30, 2004 for the Lewis and Clark Exhibition and an additional $200,000 shall remain available until expended, and shall be transferred to Southern Illinois University for the purpose of developing a permanent commemoration of the Lewis and Clark Expedition: Provided further, That of the total amount appropriated, $10,000,000 shall remain available until expended for the purpose of developing a high-speed data transmission between the Library of Congress and educational facilities, libraries, or networks serving Western North Carolina: Provided further, That, of the total amount appropriated, $500,000 shall remain available until expended and shall be equally divided and transferred to the Alexandria Museum of Art and the New Orleans Museum of Art for activities relating to the Louisiana Purchase Bicentennial Celebration.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $39,226,000, of which not more than $23,321,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2003 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than $6,191,000 shall be derived from collections during fiscal year 2003 under sections 111(d)(2), 119(b)(2), 802(h), and 1005 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than $29,512,000: Provided further, That not more than $100,000 of the amount appropriated is available for the maintenance of an ''International Copyright Institute'' in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $86,952,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $50,963,000, of which $14,697,000 shall remain available until expended: Provided, That, of the total amount appropriated, $1,000,000 shall remain available until expended to reimburse the National Federation of the Blind for costs incurred in the operation of its ''NEWSLINE'' program.

ADMINISTRATIVE PROVISIONS

SEC. 1301. Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 1302. (a) For fiscal year 2003, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $109,929,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) During fiscal year 2003, the Librarian of Congress may temporarily transfer funds appropriated in this Act under the heading ''LIBRARY OF CONGRESS—SALARIES AND EXPENSES'' to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): Provided, That the total amount of such transfers may not exceed $1,900,000: Provided further, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

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. 2763A–194), division A, chapter 9, under the heading ''Library of Congress'' ''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.C. 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 Federal laws governing appointments and compensation, the staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.''; and

(2) in section 7(h)(3), by striking ''subsection (b)(2)'' and inserting ''section 6(b)(2)''.

SEC. 1305. Section 2(c)(3) of the History of the House Awareness and Preservation Act (2 U.S.C. 183(c)(3)) is amended by inserting ''excerpts of'' after ''dissemination of''.

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 Representatives, Resident Commissioners or Delegates 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, none of the funds appropriated 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, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $29,661,000: Provided, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 2001 and 2002 to depository and other designated libraries: Provided further, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: Provided, That not more than $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: Provided further, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That the revolving fund and the funds provided under the headings ''OFFICE OF SUPERINTENDENT OF DOCUMENTS'' and ''SALARIES AND EXPENSES'' together may not be available for the full-time equivalent employment of more than 3,219 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate): Provided further, That activities financed through the revolving fund may provide information in any format.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under section 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $451,134,000: Provided, That not more than $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 reimbursements received under section 9105 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 National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: 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 OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center, $13,000,000.

ADMINISTRATIVE PROVISION

SEC. 1401. OPEN WORLD LEADERSHIP CENTER. (a) IN GENERAL.—Section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151) is amended—

(1) in the section heading, by striking ''CENTER FOR RUSSIAN LEADERSHIP DEVELOPMENT'' and inserting ''OPEN WORLD LEADERSHIP CENTER'';

(2) in subsection (a)—

(A) in paragraph (1), by striking all after ''Government'' and inserting ''a center to be known as the 'Open World Leadership Center (the 'Center').''; and

(B) in paragraph (2)—

(i) by inserting ''(the 'Board')'' after ''Board of Trustees''; and

(ii) in subparagraph (D), by striking ''United States and Russian relations'' and inserting ''relations between the United States and eligible foreign states'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''Russia'' and inserting ''eligible foreign states''; and

(ii) by striking the period at the end and inserting the following: ''and to establish and administer a program to enable cultural leaders of Russia to gain significant, firsthand exposure to the operation of American cultural institutions.'';

(B) in paragraph (2), by striking ''Russian nationals'' and inserting ''nationals of eligible foreign states''; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking ''3,000'' and inserting ''3,500''; and

(ii) in subparagraph (C)(i), by striking ''Russia'' and inserting ''an eligible foreign state'';

(4) in subsection (c)—

(A) in paragraph (1), by striking ''Russian Leadership Development Center Trust Fund'' and inserting ''Open World Leadership Center Trust Fund''; and

(B) in paragraph (3)(B), by striking ''of Trustees of the Center'';

(5) in subsection (h)(2), by striking ''of Trustees of the Center''; and

(6) by adding at the end the following:

''(j) ELIGIBLE FOREIGN STATE DEFINED.—In this section, the term 'eligible foreign state' means—

''(1) any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801); and

''(2) Estonia, Latvia, and Lithuania.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

TITLE II—GENERAL PROVISIONS

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2003 unless expressly so provided in this Act.

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different 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: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

SEC. 205. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act to pay awards and settlements as authorized under such subsection.

SEC. 206. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

SEC. 207. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking ''2002'' and inserting ''2003''.

SEC. 208. The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy 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–395 tunnel on the southeast.

SEC. 209. JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT. There are appropriated, out of any funds in the Treasury not otherwise appropriated, $300,000, to remain available until expended, to the John C. Stennis Center for Public Service Training and Development.

SEC. 210. TITLE II OF THE CONGRESSIONAL AWARD ACT. There are appropriated, out of any funds in the Treasury not otherwise appropriated, $250,000, to remain available until expended, to carry out title II of the Congressional Award Act (2 U.S.C. 811 et seq.): Provided, That funds appropriated for this purpose do not exceed 100 percent of funds donated to the Board in cash or in kind under section 208(c) of the Congressional Award Act: Provided further, That such funds are used for staff salaries and overhead, postage, travel, equipment, and accounting costs.

SEC. 211. (a) Each office in the legislative branch, except the House and the Senate, which is responsible for preparing any written statement furnished under part 3 of subchapter A of chapter 61 of the Internal Revenue Code of 1986 on behalf of a person shall make the statement available to the person in an electronic format (at the direction of the person) which will enable the person to provide the statement electronically to a tax preparer or other provider of financial services.

(b) Subsection (a) shall apply with respect to statements prepared for taxable years ending on or after December 31, 2004.

SEC. 212. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

This division may be cited as the ''Legislative Branch Appropriations Act, 2003''.

DIVISION I—TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 2003

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

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

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $89,447,000, of which not to exceed $2,211,000 shall be available for the immediate Office of the Secretary; not to exceed $809,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,657,000 shall be available for the Office of the General Counsel; not to exceed $12,452,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $8,375,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,453,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $29,071,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,926,000 shall be available for the Office of Public Affairs; not to exceed $1,391,000 shall be available for the Office of the Executive Secretariat; not to exceed $611,000 shall be available for the Board of Contract Appeals; not to exceed $1,304,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $13,187,000 shall be available for the Office of the Chief Information Officer: Provided, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided further, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: Provided further, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: Provided further, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: Provided further, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees: Provided further, That none of the funds provided in this Act shall be available for the position of Assistant Secretary for Public Affairs.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,700,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $21,000,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $131,766,000, shall be paid from appropriations made available to the Department of Transportation: Provided, That such services shall be provided on a competitive basis to entities within the Department of Transportation: Provided further, That the above limitation on operating expenses shall not apply to non-DOT entities: Provided further, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: Provided further, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans, $500,000, as authorized by 49 U.S.C. 332: Provided, That such costs, including the cost of modifying such loans, shall be 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 $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $3,000,000, to remain available until September 30, 2004: Provided, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $52,100,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to Public Law 107–71, $4,516,300,000, to remain available until expended, of which $3,037,900,000 shall be available for screening activities and of which $1,478,400,000 shall be available for airport support and enforcement presence: Provided, That $144,000,000 shall be derived by reimbursement from ''Federal Aviation Administration, Facilities and equipment,'' for explosives detection systems: Provided further, That security service fees authorized under 49 U.S.C. 44940 shall be credited to this appropriation as offsetting collections and used for providing civil aviation security services authorized by that section: Provided further, That the sum herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2003, so as to result in a final fiscal year appropriation from the General Fund estimated at not more than $1,866,300,000: Provided further, That any security service fees collected in excess of the amount appropriated under this heading shall be treated as offsetting collections in fiscal year 2004: Provided further, That none of the funds in this Act shall be used to recruit or hire personnel into the Transportation Security Administration which would cause the agency to exceed a staffing level of 45,000 full-time permanent positions: Provided further, That of the total amount provided herein, $265,000,000 shall be available only for physical modification of commercial service airports for the purpose of installing checked baggage explosive detection systems and $174,500,000 shall be available only for procurement of checked baggage explosive detection systems, including explosive trace detection systems.

MARITIME AND LAND SECURITY

For necessary expenses of the Transportation Security Administration related to maritime and land transportation security grants and services pursuant to Public Law 107–71, $244,800,000, to remain available until expended: Provided, That of the total amount provided herein, $150,000,000 shall be available only to make port security grants, which shall be distributed under the same terms and conditions as provided for under Public Law 107–117; $4,000,000 shall be available only for radiation detection and monitoring system evaluation and procurement; and $30,000,000 shall be available only to execute grants, contracts, and interagency agreements for the purpose of deploying Operation Safe Commerce.

RESEARCH AND DEVELOPMENT

For necessary expenses of the Transportation Security Administration for research and development related to transportation security, $110,200,000, to remain available until expended: Provided, That of the total amount provided herein, $10,000,000 shall be available only to make research and development grants for port security pursuant to the terms and conditions of section 70107(i) of Public Law 107–295.

ADMINISTRATION

For necessary administrative expenses of the Transportation Security Administration, including intelligence activities, pursuant to Public Law 107–71, $308,700,000, to remain available until expended.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare, $4,322,122,000, of which $340,000,000 shall be available for defense-related activities; and of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That none of the funds appropriated in this or any other Act shall be available for pay of administrative expenses in connection with shipping commissioners in the United States: Provided further, That none of the funds provided in this Act shall be available to compensate in excess of 37 active duty flag officer billets: Provided further, That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: Provided further, That notwithstanding section 1116(c) of title 10, United States Code, amounts made available under this heading may be used to make payments into the Department of Defense Medicare-Eligible Retiree Health Care Fund for fiscal year 2003 under section 1116(a) of title 10, United States Code: Provided further, That of the amounts made available under this heading, not less than $15,686,000 shall be used solely to increase staffing at search and rescue stations, surf stations and command centers; increase the training and experience level of individuals serving in said stations through targeted retention efforts; revise personnel policies and expand training programs; and to modernize and improve the quantity and quality of personal safety equipment, including survival suits, for personnel assigned to said stations: Provided further, That the Comptroller General of the United States shall audit and certify to the House and Senate Committees on Appropriations that the funding described in the preceding proviso is being used solely to supplement and not supplant the Coast Guard's level of effort in this area in fiscal year 2002.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $742,100,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; of which $25,600,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equipment, to remain available until September 30, 2007; $4,000,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 2005; $121,300,000 shall be available for other equipment, to remain available until September 30, 2005; $50,200,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 2005; $63,000,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 2004; and $478,000,000 shall be available for the Integrated Deepwater Systems program, to remain available until September 30, 2006: Provided, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and made available only for the National Distress and Response System Modernization program, to remain available for obligation until September 30, 2004: Provided further, That none of the funds provided under this heading may be obligated or expended for the Integrated Deepwater Systems (IDS) system integration contract in fiscal year 2003 until the Secretary or Deputy Secretary of Transportation and the Director, Office of Management and Budget jointly certify to the House and Senate Committees on Appropriations that funding for the IDS program for fiscal years 2004 through 2008, funding for the National Distress and Response System Modernization program to allow for full deployment of said system by 2006, and funding for other essential search and rescue procurements, are fully funded in the Coast Guard Capital Investment Plan and within the Office of Management and Budget's budgetary projections for the Coast Guard for those years: Provided further, That the Director, Office of Management and Budget shall submit the budget request for the IDS integration contract delineating sub-headings which include the following: systems integrator, ship construction, aircraft, equipment, and communication, providing specific assets and costs under each subheading: Provided further, That upon initial submission to the Congress of the fiscal year 2004 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the United States Coast Guard which includes funding for each budget line item for fiscal years 2004 through 2008, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget: Provided further, That the 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.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the available balances under this heading, $17,000,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $17,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $17,200,000, to remain available until expended: Provided, That funds for bridge alteration projects conducted pursuant to 33 U.S.C. 511 are available only to the extent that the steel, iron, and manufactured products used in such projects are produced in the United States, unless contrary to law or international agreement, or unless the Commandant of the Coast Guard determines such action to be inconsistent with the public interest or the cost unreasonable.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payments 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), $889,000,000.

RESERVE TRAINING

For all necessary expenses of the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services, $86,495,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $22,000,000, to remain available until expended, of which $3,500,000 shall be derived from the Oil Spill Liability Trust Fund: Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 104–264, $7,069,019,000, of which $3,799,278,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $5,716,046,000 shall be available for air traffic services program activities; not to exceed $836,007,000 shall be available for aviation regulation and certification program activities; not to exceed $207,600,000 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 $69,307,000 shall be available for human resources program activities; not to exceed $83,392,000 shall be available for regional coordination program activities; not to exceed $82,974,000 shall be available for staff offices; and not to exceed $29,650,000 shall be available for information services: Provided, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: Provided further, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision

of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: Provided further, That of the funds appropriated under this heading, not less than $6,000,000 shall be for the contract tower cost-sharing program: Provided further, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: Provided further, That none of the funds in this Act shall be available for new applicants for the second career training program: 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: Provided further, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: Provided further, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed 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, $2,981,022,000, of which $2,576,366,760 shall remain available until September 30, 2005, and of which $404,655,240 shall remain available until September 30, 2003: Provided, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: Provided further, That upon initial submission to the Congress of the fiscal year 2004 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2004 through 2008, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, $20,000,000 are rescinded.

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 VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $148,450,000, 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 funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for implementation of section 203 of Public Law 106–181; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $3,100,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: Provided, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,400,000,000 in fiscal year 2003, notwithstanding section 47117(g) of title 49, United States Code: Provided further, That notwithstanding any other provision of law, not more than $63,620,000 of funds limited under this heading shall be obligated for administration and not less than $20,000,000 shall be for the Small Community Air Service Development Pilot Program.

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 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 $316,126,000, shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: Provided, That of the funds available under section 104(a)(1)(A) of title 23, United States Code: $7,500,000 shall be available for ''Child Passenger Protection Education Grants'' under section 2003(b) of Public Law 105–178, 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 350 of Public Law 107–87, and shall remain available until expended; $269,700,000 shall be available in addition to funds made available by section 330 of this Act, to enable the Secretary of Transportation to make grants for surface transportation projects, and shall remain available until expended; and $7,000,000 shall be available for environmental streamlining activities, which may include making grants to, or entering into contracts, cooperative agreements, and other transactions, with a Federal agency, State agency, local agency, authority, association, nonprofit or for-profit corporation, or institution of higher education: Provided further, That notwithstanding any other provision of law, the surface transportation projects identified in the Joint Explanatory Statement of the Committee of Conference accompanying this Act are eligible for funding made available for surface transportation projects under this heading: Provided further, That the Federal share payable on account of any such project carried out with funds made available under this heading shall be 100 percent.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $31,800,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 2003: Provided, That within the $31,800,000,000 obligation limitation on Federal-aid highways and highway safety construction programs, not more than $462,500,000 shall be available for the implementation or execution of programs for transportation research (sections 502, 503, 504, 506, 507, and 508 of title 23, United States Code, as amended; section 5505 of title 49, Unites States Code, as amended; and sections 5112 and 5204–5209 of Public Law 105–178) for fiscal year 2003: Provided further, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: Provided further, That within the $232,000,000 obligation limitation on Intelligent Transportation Systems, the following sums shall be made available for Intelligent Transportation System projects that are designed to achieve the goals and purposes set forth in section 5203 of the Intelligent Transportation Systems Act of 1998 (subtitle C of title V of Public Law 105–178; 112 Stat. 453; 23 U.S.C. 502 note) in the following specified areas:

Advance Traveler Information System & Smart Card System, Ohio, $1,000,000;

Advanced Traffic Analysis Center, North Dakota State University, $1,000,000;

Alaska Statewide: Smart Emergency Medical Access System, $1,000,000;

Automated Vehicle Location (AVL) and Mobile Data Terminals—PalmTran, Palm Beach, Florida, $850,000;

Baton Rouge, Louisiana, $750,000;

Bozeman Pass Wildlife Channelization Study, Montana, $250,000;

Capital District Transportation Authority, Customer Information ITS Project, New York, $800,000;

CCTA Burlington Multimodal Transit Center, Vermont, $500,000;

C–DOT ITS for I–70 Tunnels, Colorado, $3,700,000;

Center for Injury Sciences UAB Crash Notification, Alabama, $3,000,000

Central Florida Regional Trans. Authority Orange/Seminole ITS, $1,500,000;

Chapel Hill Transit, North Carolina, real time passenger information system and vehicle location system, $750,000;

Chattanooga (CARTA) ITS, Tennessee, $1,875,000;

Cicero Avenue travel information system, Illinois, $300,000;

City of Austin, Texas ITS Deployment Program, Texas, $500,000;

City of Boston intelligent transportation system, Massachusetts, $1,000,000;

City of Inglewood, California intelligent transportation system deployment project, $500,000;

CVISN, New Mexico, $525,000;

DelDOT Integrated Transportation Management System, DelTrac, Statewide Transit Passenger Information System, Delaware, $1,000,000;

Elkhorn Boulevard Project, Sacramento, California, $125,000;

Emergency Vehicle Access Program, Antrim, Pennsylvania, $60,000;

Emergency Vehicle Optical Pre-Emption, Town of Islip, New York, $595,000;

Flint Mass Transportation Authority ITS program, Michigan, $1,000,000;

Fog Detection Improvements and Traffic Monitoring, Rural Mountain Region, North Carolina, $200,000;

Gettysburg Borough Signal Coordination and Upgrade-Signalization; Adams County, Pennsylvania, $1,500,000;

GMU ITS Research, Virginia, $1,000,000;

Great Lakes ITS program, Michigan, $1,500,000;

Harrison County Sheriff's Department ITS, Mississippi, $750,000;

HART Bus Tracking & Communication, Florida, $4,000,000;

Hoosier SAFE-T, Indiana, $500,000;

Houma, Louisiana, $1,250,000;

Huntsville, Alabama, $1,500,000;

I–80 Dynamic Message Signs, Southern Wyoming, $3,000,000;

I–90 Truck Wind Warning System, Columbia River, Washington, $125,000;

Idaho Commercial Vehicle Systems and Networks (CVISN), $750,000;

Illinois Statewide, $2,500,000;

Intelligent transportation, Autonomous dial-a-ride transit (ADART) phase IV implementation, Corpus Christi, Texas, $500,000;

Intermodal ITS center, Orleans Parish, Louisiana, $500,000;

Interstate 95/Interstate 40 travel information improvements, Johnston County, North Carolina, $500,000;

Iowa Statewide ITS, Iowa, $1,400,000;

Kansas City Scout Advanced Traffic Management System, Missouri, $1,500,000;

Kansas City, Kansas Smart Port, $500,000;

Kent Intracity Transit Project, Washington, $1,500,000;

Law Enforcement Communications for Security, Biometrics, Iowa, $2,550,000;

Lynnwood ITS, Washington, $2,000,000;

Macomb County ITS Integration, Michigan, $250,000;

Maine Statewide Rural Advanced Traveler Info. System, $1,000,000;

Maryland Statewide ITS, $1,000,000;

Metrolina Traffic Management Center Communication, North Carolina, $2,000,000;

MetroLink Los Angeles Union Station (LAUS) passenger information delivery system project, California, $500,000;

Minnesota Guidestar, $9,100,000;

Missouri Statewide Rural ITS, $2,150,000;

Montachusett Area Regional Transit (MART) advanced vehicle located system, Massachusetts, $200,000;

Monterey-Salinas Transit, intelligent transportation system, California, $750,000;

Nebraska statewide ITS, $3,000,000;

New Bedford ITS Port Information Center, Massachusetts, $1,000,000;

New York Metropolitan Area enhanced operations, New York, $655,000;

Northern Virginia ITS, Virginia, $750,000;

Oklahoma Statewide ITS, $2,750,000;

Pennsylvania Turnpike Commission, Pennsylvania, $2,000,000;

Program of Projects, Washington, $5,000,000;

Providence Transportation Information Center ITS, Rhode Island, $1,500,000;

Richmond Highway intelligent transportation system project, Virginia, $400,000;

Round Rock, Texas, Williamson County, Communications Integration, $500,000;

Rural Highway Information System, Kentucky, $6,000,000;

Sacramento Area Council of Governments, Sacramento region intelligent transportation system projects, California, $1,000,000;

Salem, New Hampshire ITS, $900,000;

San Diego Joint Transportation Operations Center, California, $2,000,000;

Santa Teresa Border Tech Center, New Mexico State University, $1,000,000;

Shreveport ITS, Louisiana, $1,000,000;

Sierra Madre Intermodal Transportation Center, California, $1,500,000;

South Carolina DOT Statewide ITS, $1,500,000;

South Com Regional Dispatch Trauma Center, Matteson, Olympia Fields, and Richton Park, Illinois, $100,000;

SR–68/Riverside Dr. ITS, Espanola, New Mexico, $500,000;

State of Wisconsin, deployment of commercial vehicle information system and networks, level one capability, $500,000;

Statewide Transportation Operations Center, Kentucky, $1,365,000;

Surface Transportation Institute, University of North Dakota, $1,000,000;

Surveillance Camera and Transportation Management Center, Des Moines, Iowa, $400,000;

The Rapid, Grand Rapids, Michigan Public Transportation, $1,000,000;

Traffic Corridor Communications System, Lake County, Illinois, $2,000,000;

Tri-Cities Advanced Traffic Management System, Washington, $500,000;

Tucson ER-LINK ITS project, Arizona, $625,000;

UALR Intelligent transportation system, Little Rock, Arkansas, $250,000;

University of Nebraska Lincoln SMART Transportation, $1,000,000;

University of Kentucky Transportation Center, $1,500,000;

US–395 Columbia River Bridge Traffic Operations and Traveler Information System, Washington, $250,000;

Utah ITS Commuter Link, Davis and Utah Counties, $1,000,000;

Vermont Statewide Rural Advanced Traveler System, $1,500,000;

Vermont Variable Message Signs, $1,000,000;

Washington, DC Metro ITS, $2,000,000;

Wisconsin State Patrol Mobile Data Communications Network Upgrade, $2,000,000.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $32,000,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

(RESCISSION)

Of the unobligated balances made available under Public Law 103–331, Public Law 102–388, Public Law 102–240, Public Law 102–143, Public Law 101–516, Public Law 97–424, Public Law 101–164, Public Law 100–17, and Public Law 95–599, $5,609,337 is rescinded.

(RESCISSION)

Of the unobligated balances of funds apportioned to each state under the programs authorized under sections 1101(a)(1), 1101(a)(2), 1101(a)(3), 1101(a)(4) and 1101(a)(5) of Public Law 105–178, as amended, $250,000,000 are rescinded.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

For necessary expenses for the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, as amended, $188,000,000, to remain available until expended.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

For necessary expenses for administration of motor carrier safety programs and motor carrier safety research, pursuant to section 104(a)(1)(B) of title 23, United States Code, not to exceed $117,464,000 shall be paid in accordance with law from appropriations made available by this Act and from any available take-down balances to the Federal Motor Carrier Safety Administration, together with advances and reimbursements received by the Federal Motor Carrier Safety Administration: Provided, That such amounts shall be available to carry out the functions and operations of the Federal Motor Carrier Safety Administration.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for payment of obligations incurred in carrying out 49 U.S.C. 31102, 31106 and 31309, $190,000,000, 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 $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 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $138,288,000, of which $98,161,131 shall remain available until September 30, 2005: Provided, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, to remain available until expended, $72,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2003, are in excess of $72,000,000 for programs authorized under 23 U.S.C. 403.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to the National Driver Register under chapter 303 of title 49, United States Code, $2,000,000, to be derived from the Highway Trust Fund, and to remain available until expended.

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 the provisions of 23 U.S.C. 402, 405, and 410, to remain available until expended, $225,000,000, to be derived from the Highway Trust Fund: Provided, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2003, are in excess of $225,000,000 for programs authorized under 23 U.S.C. 402, 405, and 410, of which $165,000,000 shall be for ''Highway Safety Programs'' under 23 U.S.C. 402, $20,000,000 shall be for ''Occupant Protection Incentive Grants'' under 23 U.S.C. 405, and $40,000,000 shall be for ''Alcohol-Impaired Driving Countermeasures Grants'' under 23 U.S.C. 410: Provided further, That none of these funds shall be used for construction, rehabilitation, or

remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: Provided further, That not to exceed $8,150,000 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 available to NHTSA for administering highway safety grants under chapter 4 of title 23, United States Code: Provided further, That not to exceed $500,000 of the funds made available for section 410 ''Alcohol-Impaired Driving Countermeasures Grants'' shall be available for technical assistance to the States.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $117,363,000, 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 issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: Provided, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2003: Provided further, That no payments of principal or interest shall be collected during fiscal year 2003 for the direct loan made to the National Railroad Passenger Corporation under section 502 of such Act.

NEXT 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, $30,450,000, to remain available until expended.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $22,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations, to remain available until expended.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation, $1,050,000,000, to remain available until September 30, 2003, including $522,000,000 for quarterly grants for operating expenses, $295,000,000 for quarterly grants for capital expenses along the Northeast Corridor Mainline, and $233,000,000 for quarterly grants for general capital improvements: Provided, That the Secretary of Transportation shall approve funding to cover operating losses and a long-distance train of the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific train route: Provided further, That each such grant request shall be accompanied by a detailed financial analysis and revenue projection justifying the federal support to the Secretary's satisfaction: Provided further, That the Secretary of Transportation and the Amtrak Board of Directors shall ensure that, of the amount made available under this heading, sufficient sums are reserved to satisfy the contractual obligations of the National Railroad Passenger Corporation for commuter and intercity passenger rail service: Provided further, That within 60 days of enactment of this Act but not later than May 1, 2003, Amtrak shall transmit to the Secretary of Transportation and the House and Senate Committees on Appropriations a business plan for operating and capital improvements to be funded in fiscal year 2003 under section 24104(a) of title 49, United States Code: Provided further, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by this business plan: provided further, That not later than June 1, 2003 and each month thereafter, Amtrak shall submit to the Secretary of Transportation and the House and Senate Committees on Appropriations a supplemental report regarding the business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes: Provided further, That excluding payments made before March 1, 2003, none of the funds in this Act may be used for operating expenses and capital projects not approved by the Secretary of Transportation nor on the National Railroad Passenger Corporation's fiscal year 2003 business plan: Provided further, That none of the funds under this heading may be obligated or expended until the National Railroad Passenger Corporation agrees to continue abiding by the provisions of paragraphs 1, 2, 3, 5, 9, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $14,600,000: Provided, That no more than $73,000,000 of budget authority shall be available for these purposes: Provided further, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: Provided further, That not to exceed $2,600,000 for the National transit database shall remain available until expended.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5307, 5308, 5310, 5311, 5327, and section 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, $50,000,000 of the funds to carry out 49 U.S.C. 5308 shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under ''Federal Transit Administration, Capital investment grants''.

UNIVERSITY TRANSPORTATION RESEARCH

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

TRANSIT PLANNING AND RESEARCH

For necessary expenses to carry out 49 U.S.C. 5303, 5304, 5305, 5311(b)(2), 5312, 5313(a), 5314, 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 these 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 Transit Institute (49 U.S.C. 5315), $8,250,000 is available to carry out transit cooperative research programs (49 U.S.C. 5313(a)), $60,385,600 is available for metropolitan planning (49 U.S.C. 5303, 5304, and 5305), $12,614,400 is available for State planning (49 U.S.C. 5313(b)); and $31,500,000 is available for the national planning and research program (49 U.S.C. 5314).

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Notwithstanding any other provision of law, for 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, and to be derived from the Mass Transit Account of the Highway Trust Fund: Provided, That $3,071,200,000 shall be paid to the Federal Transit Administration's formula grants account: Provided further, That $97,800,000 shall be paid to the Federal Transit Administration's transit planning and research account: Provided further, That $58,400,000 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 account: Provided further, That $120,000,000 shall be paid to the Federal Transit Administration's job access and reverse commute grants program: Provided further, That $2,428,800,000 shall be paid to the Federal Transit Administration's capital investment grants account.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out 49 U.S.C. 5308, 5309, 5318, and 5327, $607,200,000, to remain available until expended: Provided, That no more than $3,036,000,000 of budget authority shall be available for these purposes: Provided further, That there shall be available for fixed guideway modernization, $1,214,400,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $607,200,000, which shall include $50,000,000 made available under 5309(m)(3)(C) of this title, plus $50,000,000 transferred from ''Federal Transit Administration, Formula Grants''; and there shall be available for new fixed guideway systems $1,214,400,000, together with $45,000,000 transferred from the Job Access and Reverse Commute Grants Program account and all unobligated balances made available in Public Law 105–277 to carry out section 3037 of Public Law 105–178, as amended; to be available as follows:

Alaska-Hawaii Setaside, $10,296,000;

Altamont, CA, Commuter Express Maintenance Facility San Joaquin Rail Commission, $1,000,000;

Atlanta North Springs, GA (North Line Extension), $16,110,000;

Baltimore, MD, Central LRT Double Tracking Project, $18,000,000;

Birmingham, AL, Transit Corridor Study, $2,000,000;

Boston, MA, North Shore Corridor Project, $338,000;

Boston, MA, South Boston Piers Transitway, $681,000;

Bridgeport, CT, Intermodal Transportation Center Project, $2,500,000;

Burlington-Middlebury, VT, Commuter Rail, $1,500,000;

Central Phoenix/East Valley, AZ, Light Rail, $12,000,000;

Charlotte, NC, South Corridor Light Rail Transit Project, $11,000,000;

Chicago Transit Authority, IL, Dougals Branch Reconstruction, $55,000,000;

Chicago Transit Authority, IL, Ravenswood Reconstruction, $3,000,000;

Cleveland, OH, Euclid Corridor Transportation Project, $6,000,000;

Dallas, TX, North Central Light Rail Extension, $60,000,000;

Denver, CO, Southeast Center LRT (T–REX), $70,000,000;

Fort Lauderdale, Tri-County Commuter Rail Upgrades, $29,250,000;

Houston, TX, Advanced Metro Transit Plan, $11,000,000;

Las Vegas, NV, Resort Corridor Fixed Guideway, $7,000,000;

Little Rock, AR, River Rail Streetcar Project, $1,700,000;

Los Angeles, CA, Eastside Corridor LRT, $4,000,000;

Los Angeles, CA, North Hollywood Red Line, $40,490,000;

Lowell, MA to Nashua, NH, Commuter Rail Extension, $3,000,000;

Maryland, MARC Commuter Rail Improvements, $11,750,000;

Memphis, TN, Medical Center Rail Extension, $15,610,000;

Metra Commuter Rail and Line Extension Projects (North Central, Union Pacific West, SouthWest), $52,000,000;

Metro North Rolling Stock, CT, $4,000,000;

Minneapolis, MN, Hiawatha Corridor LRT, $60,000,000;

Minneapolis, MN, Northstar Corridor, $5,000,000;

Nashville, TN, East Corridor Commuter Rail, $4,000,000;

New Jersey, Hudson-Bergen Light Rail—MOS1, $19,200,000;

New Jersey, Hudson-Bergen Light Rail—MOS2, $50,000,000;

New Orleans, LA, Canal Street Streetcar Project, $22,000,000;

New York, Long Island Railroad East Side Access Project, $13,500,000;

New York, Second Avenue Subway, $2,000,000;

Newark-Elizabeth, NJ, Rail Link, $60,000,000;

Northern Indiana South Shore Commuter Rail Project, $2,500,000;

Oceanside-Escondido, CA, Rail Corridor, $13,600,000;

Ogden to Provo, UT, Commuter Rail Corridor, $5,000,000;

Orange County, CA, Centerline Light Rail Project, $1,500,000;

Pawtucket, RI, Layover Facility, $4,500,000;

Pittsburgh, PA, North Shore Connector, $7,025,000;

Pittsburgh, PA, Stage II LRT Reconstruction, $26,250,000;

Portland, OR, Interstate MAX Light Rail Extension, $70,000,000;

Puget Sound, WA, Sounder Commuter Rail, $30,000,000;

Raleigh, NC, Triangle Transit Regional Rail Service, $9,000,000;

Salt Lake City, UT, CBD to University LRT, $68,760,000;

Salt Lake City, UT, Medical Center LRT, $12,000,000;

Salt Lake City, UT, North/South LRT, $720,000;

San Diego, CA, Trolley Mission Valley East LRT Extension, $65,000,000;

San Francisco, CA, BART Extension to San Francisco Airport, $100,000,000;

San Francisco, CA, Third Street Light Rail Extension (Phase II), $1,500,000;

San Jose, CA, Silicon Valley Rapid Transit Corridor Project, $250,000;

San Juan, PR, Tren Urbano, $40,000,000;

Scranton, PA to New York City, NY, Passenger Rail Service, $2,000,000;

SEPTA, PA, Schuylkill Valley Metro Line, $9,000,000;

St. Louis, MO, Metrolink, St. Clair Extension, $3,370,000;

Stamford, CT, Urban Transitway, $10,000,000;

Vermont Transportation Authority Rolling Stock, $500,000;

Virginia Railway Express project, $2,000,000;

Washington, DC, Dulles Corridor Rapid Transit Project, $26,500,000;

Washington, DC/MD, Largo Extension, $60,000,000;

Wilmington, DE, Train Station improvements, $2,000,000;

Wilsonville-Beaverton Commuter Rail Line, OR, $2,500,000.

JOB ACCESS AND REVERSE COMMUTE GRANTS

Notwithstanding section 3037(l)(3) 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 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 $45,000,000 of the funds provided under this heading together with all unobligated balances made available in Public Law 105–277 to carry out section 3037 of Public Law 105–178 shall be transferred to and merged with funds for new fixed guideway systems under the Federal Transit Administration's Capital Investment Grants account.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

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, $14,086,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $40,980,000, of which $645,000 shall be derived from the Pipeline Safety Fund, and of which $3,250,000 shall remain available until September 30, 2005: Provided, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: Provided further, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $63,842,000, of which $7,472,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2005; of which $56,370,000 shall be derived from the Pipeline Safety Fund, of which $24,823,000 shall remain available until September 30, 2005.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $200,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2005: Provided, That not more than $14,300,000 shall be made available for obligation in fiscal year 2003 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): Provided further, That none of the funds made available by 49 U.S.C. 5116(i) and 5127(d) shall be made available 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 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 (5 U.S.C. App. 3) 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 41712 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 proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $19,450,000: Provided, That notwithstanding any other provision of law, not to exceed $1,000,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: Provided further, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2003, to result in a final appropriation from the general fund estimated at no more than $18,450,000.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended $5,194,000: Provided, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services 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. 5901–5902) $72,450,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of

Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Such sums as may be necessary for fiscal year 2003 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 303. Appropriations contained in this Act for the Department of Transportation shall be available for 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 an Executive Level IV.

SEC. 304. None of the funds in this Act shall be available for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation: Provided, That none of the personnel covered by this provision or political and Presidential appointees in an independent agency funded in this Act may be assigned on temporary detail outside the Department of Transportation or such independent agency.

SEC. 305. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 306. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 307. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 308. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 309. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 310. (a) For fiscal year 2003, the Secretary of Transportation shall—

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

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

(3) determine the ratio that—

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

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for sections set forth in paragraphs (1) through (7) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(8)) for such fiscal year less the aggregate of the amounts not distributed under paragraph (1) of this subsection;

(4) distribute the obligation limitation for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) of section 117 of title 23, United States Code (relating to high priority projects program), 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 guarantee) 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, $2,000,000,000) for such fiscal year;

(5) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4) for each of the programs that are allocated by the Secretary under title 23, United States Code (other than activities to which paragraph (1) applies and programs to which paragraph (4) applies) by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for such program for such fiscal year: Provided, That the amount of obligation limitation distributed for each program does not exceed 90 percent of the amount authorized to be appropriated for such program, except that for each of the programs authorized under section 129(c) of title 23, United States Code and section 1064 of Public Law 102–240, as amended, sections 1118 and 1119 of Public Law 105–178, as amended, section 1101(a)(11) of Public Law 105–178, as amended, section 118(c) of title 23, United States Code, section 144(g) of title 23, United States Code, section 1221 of Public Law 105–178, as amended, section 1101(a)(15) of Public Law 105–178, as amended, section 104(b)(1)(A) of title 23, United States Code, section 104(d)(1) of title 23, United States Code, and section 202(b) of title 23, United States Code (excluding the portion to be made available for Forest Highways under such subsection), the amount of obligation limitation distributed for each program shall equal the amount authorized to be appropriated for such program; and

(6) distribute the obligation limitation provided for Federal-aid Highways less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under 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, bear to

(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: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under sections 131(b) and 131(j) of the Surface Transportation Assistance Act of 1982; (5) under sections 149(b) and 149(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; and (8) under section 105 of title 23, United States Code (but, only in an amount equal to $639,000,000 for such fiscal year).

(c) Notwithstanding subsection (a), the Secretary shall after August 1 for such fiscal year revise a distribution of the obligation limitation made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code, section 160 (as in effect on the day before the enactment of the Transportation Equity Act for the 21st Century) of title 23, United States Code, and under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1943–1945).

(d) The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, 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.

(e) Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds: (1) that are authorized to be appropriated for such fiscal year for Federal-aid highways programs (other than the program under section 160 of title 23, United States Code) and for carrying out subchapter I of chapter 311 of title 49, United States Code, and highway-related programs under chapter 4 of title 23, United States Code; and (2) that the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year. Such distribution to the States shall be made in the same ratio as the distribution of obligation authority under subsection (a)(6). The funds so distributed shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) Obligation limitation distributed for a fiscal year under subsection (a)(4) of this section for a section set forth in subsection (a)(4) 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.

SEC. 311. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 312. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 313. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant: Provided, That, the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 314. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this

Act under ''Federal Transit Administration, Capital investment grants'' for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2005, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 315. Notwithstanding any other provision of law, any funds appropriated before October 1, 2002, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 316. None of the funds in this Act may be used to compensate in excess of 350 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2003.

SEC. 317. Notwithstanding any other provision of law, whenever an allocation is made of the sums authorized to be appropriated for expenditure on the Federal lands highway program, and whenever an apportionment is made of the sums authorized to be appropriated for expenditure on the surface transportation program, the congestion mitigation and air quality improvement program, the National Highway System, the Interstate maintenance program, the bridge program, the Appalachian development highway system, and the minimum guarantee program, the Secretary of Transportation shall—

(1) deduct a sum in such amount not to exceed .45 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

(2) deduct a sum in such amount not to exceed 2.65 percent of all sums so made available, as the Secretary determines necessary to administer the provisions of law to be financed from appropriations for the programs authorized under chapters 1 and 2 of title 23, United States Code, and to make transfers in accordance with section 104(a)(1)(A)(ii) of title 23, United States Code: 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)(A) of title 23, United States Code, and the sum so deducted shall remain available until expended.

SEC. 318. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's ''Federal-Aid Highways'' account, the Federal Transit Administration's ''Transit Planning and Research'' account, and to the Federal Railroad Administration's ''Safety and Operations'' account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 319. Funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities pursuant to 49 U.S.C. 5309(m)(2)(B) may be used to construct new vessels and facilities, or to improve existing vessels and facilities, including both the passenger and vehicle-related elements of such vessels and facilities, and for repair facilities: Provided, That not more than $3,000,000 of the funds made available pursuant to 49 U.S.C. 5309(m)(2)(B) may be used by the State of Hawaii to initiate and operate a passenger ferryboat services demonstration project to test the viability of different intra-island and inter-island ferry boat routes and technology: Provided further, That notwithstanding-49 U.S.C. 5302(a)(7), funds made available for Alaska or Hawaii ferry boats may be used to acquire passenger ferry boats and to provide passenger ferry transportation services within areas of the State of Hawaii under the control or use of the National Park Service.

SEC. 320. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: Provided, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 321. (a) Section 47107 of title 49, United States Code, is amended by inserting after section 47107(p) the following:

''(q) Notwithstanding any written assurances prescribed in subsections (a) through (p), a general aviation airport with more than 300,000 annual operations may be exempt from having to accept scheduled passenger air carrier service, provided that the following conditions are met:

''(1) No scheduled passenger air 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 of an airport that maintains an airport operating certificate pursuant to Section 44706 of title 49; and,

''(3) The certificated airport operating under Section 44706 of title 49 has sufficient capacity 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.''.

(b) This section shall be effective upon enactment, notwithstanding any other section of title 49.

SEC. 322. 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, letter, printed or written material, 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 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 prevent 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 a State legislature, or to a State legislature, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of business.

SEC. 323. (a) Funds provided in Public Law 106–69 for the Wilmington, Delaware downtown transit connector and funds provided in Public Law 106–346 for the Wilmington downtown corridor project shall be available for Wilmington, Delaware commuter rail improvements.

(b) Funds provided in Public Law 106–346 for Missoula Ravalli Transportation Management Administration buses shall be available for Missoula Ravalli Transportation Management Administration buses and bus facilities.

SEC. 324. (a) IN GENERAL.—Hereafter, none of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. 10a–10c).

(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 greatest 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 shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) 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 affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 325. Notwithstanding any other provision of law, Walnut Ridge Regional Airport shall transfer to the Federal Aviation Administration (FAA) their localizer instrument landing system, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 326. Notwithstanding any other provision of law, Williams Gateway Airport shall transfer to the Federal Aviation Administration (FAA) air traffic control tower equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 327. Section 218(a) of Title 23, United States Code, is amended by inserting ''reauthorization of the'' before ''Transportation''.

SEC. 328. Notwithstanding any other provision of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 329. None of the funds in this Act may be used to make a grant unless the Secretary of Transportation, or the Secretary of Department in which the Transportation Security Administration is operating, notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs; or (4) any port security grants totaling $500,000 or more of the Transportation Security Administration: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 330. In addition to amounts otherwise made available in this Act, to enable the Secretary of Transportation to make grants for surface transportation projects, $90,600,000, to remain available until expended: Provided, That notwithstanding any other provision of law, the surface transportation projects identified in the Joint Explanatory Statement of the Committee of Conference accompanying this Act are eligible for funding made available by the immediately preceding clause of this provision.

SEC. 331. None of the funds made available in this Act may be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

SEC. 332. (a) None of the funds made available in this Act shall be available for the design or construction of a light rail system in Houston, Texas;

(b) Notwithstanding (a), amounts made available in this Act or previous Acts under the heading ''Federal Transit Administration, Capital investment grants'' for a Houston, Texas, Metro advanced transit plan project shall be available for obligation or expenditure subject to the following conditions:

(1) Sufficient amounts shall be used for major investment studies in 4 major corridors.

(2) The Texas Department of Transportation shall review and comment on the findings of the studies under paragraph (1). Any comments by such department on such findings shall be included in any final report on such studies.

(3) If a final report on the studies under paragraph (1) is not available for at least the 1-month period preceding the date of any referendum held by the City of Houston, Texas, or by a county of Texas, regarding approval of the issuance of bonds for funding a light rail system in Houston, Texas, all information developed by such studies regarding passenger and cost estimates for such a system shall be made available to the public at least 1 month before the date of the referendum.

SEC. 333. Of the funds provided in section 101(a)(2) of Public Law 107–42, $90,000,000 are rescinded.

SEC. 334. (a) The Secretary of Transportation shall enter into an agreement with the National Academy of Sciences under which agreement the National Academy of Sciences shall conduct a study of the procedures by which the Department of Energy, together with the Department of Transportation and the Nuclear Regulatory Commission, selects routes for the shipment of spent nuclear fuel from research nuclear reactors between or among existing Department of Energy facilities currently licensed to accept such spent nuclear fuel.

(b) In conducting the study under subsection (a), the National Academy of Sciences shall analyze the manner in which the Department of Energy—

(1) selects potential routes for the shipment of spent nuclear fuel from research nuclear reactors between or among existing Department facilities currently licensed to accept such spent nuclear fuel;

(2) selects such a route for a specific shipment of such spent nuclear fuel; and

(3) conducts assessments of the risks associated with shipments of such spent nuclear fuel along such a route.

(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 from research nuclear reactors through densely populated areas.

(2) Current traffic and accident data with respect to the routes under consideration.

(3) The quality of the roads 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 such recommendations regarding the matters studied as the National Academy of Sciences considers appropriate.

(e) The Secretary shall disburse 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 the enactment of this Act.

(f) Not later than six months after the date of the disbursal of funds under subsection (e), the National Academy of Sciences shall submit to the appropriate committees of Congress a report on the study conducted 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. 335. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors 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 ''below-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. 336. For the purpose of any applicable law, for fiscal year 2003, the city of Norman, Oklahoma, shall be 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 is authorized to accept funds from an airport sponsor, including entitlement funds provided under the ''Grants-in-Aid for Airports'' program, for the FAA to hire additional staff or obtain the services of consultants: Provided, That the Administrator is authorized to 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 subchapter I of Chapter 471 of title 49, the Secretary of Transportation may provide grants under such subchapter I of chapter 471 to the airport sponsor of the Double Eagle II Airport in Albuquerque, New Mexico, for—

(1) the construction of an air traffic control tower; and

(2) the acquisition and installation of air traffic control equipment to be used in the air traffic control tower that will assist in sustaining or improving the safe and efficient movement of air traffic.

(b) ELIGIBILITY.—The sponsor shall be eligible for a grant under this section if—

(1) the sponsor would otherwise be eligible to participate in the pilot program established under section 47124(b)(3) of title 49 except for the lack of the air traffic control tower proposed to be constructed under this section; and

(2) the sponsor agrees to fund not less than 10 percent of the costs of construction of the air traffic control tower.

(c) PROJECT COSTS.—Grants under this act shall be paid only from amounts apportioned to the sponsor or for airports in the state under section 47114(d) of title 49, United States Code.

(d) FEDERAL COST.—The Federal cost of construction of an air traffic control tower under this section may not exceed $1,800,000.

SEC. 339. Notwithstanding any other provision of law, States may use funds provided in this Act under section 402 of title 23, United States Code, to produce and place highway safety public service messages in television, radio, cinema, and print media, and on the Internet in accordance with guidance issued by the Secretary of Transportation: Provided, That any state that uses funds for such public service messages shall submit to the Secretary a report describing and assessing the effectiveness of the messages: Provided further, That $10,000,000 of the funds allocated for innovative seat belt projects under section 157 of title 23, United States Code, and $11,000,000 of funds allocated under section 163 of title 23, United States Code, shall be used as directed by the National Highway Traffic Safety Administrator, to purchase advertising in broadcast media to support the national mobilizations conducted in all fifty states, aimed at increasing seat belt use and reducing impaired driving: Provided further, That up to $1,000,000 of the funds allocated under section 163 of title 23, United States Code, shall be used by the Administrator to evaluate the effectiveness of alcohol-impaired driving programs that purchase advertising as provided by this section.

SEC. 340. For purposes of entering into joint public-private partnerships and other cooperative arrangements for the performance of work, the Coast Guard Yard and other Coast Guard specialized facilities designated by the Commandant may enter into agreements or other arrangements, receive and retain funds from and pay funds to such public and private entities, and may accept contributions of funds, materials, services, and the use of facilities from such entities: Provided, That amounts received under this section may be credited to appropriate Coast Guard accounts.

SEC. 341. None of the funds in this Act may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 342. None of the funds in this Act may be expended to issue, implement, or enforce a regulation that diminishes or revokes an exemption authorized under section 345 of the National Highway System Designation Act of 1995 (Public Law 104–59; 109 Stat. 613; 49 U.S.C. 31136 note) before the Secretary of Transportation determines by a rulemaking proceeding that the exemptions granted are not in the public interest and adversely affects the safety of commercial motor vehicles with respect to such exemption that is required under subsection (c) of such section and, as under subsection (d), if a result of monitoring the safety performance of drivers of commercial vehicles that are subject to an exemption under section 345, the Secretary determines that public safety has been severely affected by an exemption granted under this section, the Secretary shall report to Congress that determination: Provided, That this limitation shall not preclude the Secretary from revoking an exemption granted to an individual, farm, company, or other entity under section 345 of Public Law 104–59 for national security reasons.

SEC. 343. (a) From the unexpended balances of the Local Rail Freight Assistance program under chapter 221 of title 49, U.S.C., $690,287 are rescinded.

(b) For the necessary expenses of the State of Iowa for a rail infrastructure rehabilitation project on the Iowa Northern Railway, $690,287, to remain available until expended.

SEC. 344. In addition to amounts otherwise made available in this Act, to enable the Secretary of Transportation to make grants for surface transportation projects, $285,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: Provided, That notwithstanding any other provision of law, the surface transportation projects identified in the Joint Explanatory Statement of the Committee

of Conference accompanying this Act are eligible for funding made available by the immediately preceding clause of this provision.

SEC. 345. Notwithstanding any other provision of law—

(1) in section 1602 of the Transportation Equity Act for the 21st Century—

(A) item number 426 (112 Stat. 272) is amended by striking ''Louisiana Highway 16'' and inserting the following: ''Louisiana Highway 1026'';

(B) item number 696 (112 Stat. 383), relating to Gettysburg, Pennsylvania, is amended by inserting after ''Gettysburg comprehensive road improvement study'' the following: ''and construction of projects identified in the study'';

(C) item number 230 is amended by striking ''Construct new exit 46A on I–90 at route 170 in North Chili'' and inserting ''Monroe County transportation improvements on Long Pond Road, Pattonwood Road, and Leyll road'';

(D) item number 1344 (112 Stat. 306) is amended by striking ''Upgrade'' and all that follows through ''City'' and inserting the following, ''Upgrade Frederic Douglas Circle and Manhattan Avenue from West 110th Street to West 125th Street, New York City'';

(E) item number 1108 is amended by striking ''Construct'' and all that follows through ''Brownsville'' and inserting ''Construct west Rail Project in or near Brownsville, including a new railroad international bridge crossing over the Rio Grande River'';

(F) item number 1269 (112 Stat. 303) is amended by striking ''Implement'' and all that follows through ''system'' and inserting the following: ''New York City Department of Parks and Recreation, Bronx, NY Center Transportation Project'';

(G) item number 933 (112 Stat. 291) is amended by striking ''Redesign'' and all that follows through ''City'' and inserting the following: ''Design, construction and related enhancement of the Grand Concourse between E. 161st St. and E. 166th St., New York City'';

(H) item number 75 (112 Stat. 259) is amended by striking ''Construct'' and all that follows through ''Route'' and inserting the following: ''Bronx, NY River Greenway''; and

(I) item number 1735 (112 Stat. 320) is amended by inserting: '', and/or, notwithstanding any other provision of law, design, and construction of Type II noise abatement projects south of the new interchange and Neshaminy Creek, along Interstate 95 between Exit 25 and 26 in Bensalem Township, Bucks County'' after ''improvements'';

(2) section 3030(d)(3) of the Transportation Equity Act for the 21st Century (Public Law 105–178) is amended by redesignating the second subparagraph (D) (as added by section 361 of Public Law 107–87) as subparagraph (E) and by inserting at the end:

''(F) Port of Anchorage Intermodal passenger and freight facility.

''(G) Mobile Waterfront Terminal and Maritime Center of the Gulf.''.

(3) of the $668,000 appropriated under the heading ''Surface Transportation Projects'' in Public Law 103–331 for CA 113 railroad grade separation, California, the unobligated share shall be available for railroad grade separation for the City of Dixon, Solano County, California;

(4) the $500,000 appropriated under the heading ''Surface Transportation Projects'' in Public Law 103–331 for 6th and 7th Sts. improvements Brownsville, TX may be used to construct the West Rail project in or near Brownsville, including a new international railroad bridge crossing over the Rio Grande River;

(5) section 610, section 609(c), and the last sentence of section 604(b)(1) of Public Law 97–468 are repealed; and

(6) for the purpose of further leveraging Federal resources and enhancing private investment supporting the financing of public toll roads in Orange County, California, authorized by section 129(d) of title 23, United States Code, the Secretary of Transportation shall modify the agreements entered into with the San Joaquin Hills Transportation Corridor Agency and the Foothill Eastern Transportation Corridor Agency pursuant to section 339 of Public Law 102–388, section 336 of Public Law 103–331 and section 356 of Public Law 104–50, to extend the term of coverage provided by such lines throughout the term of the revenue bonds issued to acquire, finance or refinance those facilities, including revenue bonds issued by a new joint powers agency to finance the acquisition of assets from the existing Transportation Corridor Agencies: Provided, That notwithstanding any other provision of law, such modifications shall be deemed eligible under section 184 of title 23, United States Code, and shall be funded under section 188 of title 23, United States Code: Provided further, That notwithstanding any other provision of law, any amounts of the original Federal lines of credit not drawn upon, up to the combined original principal amount of $240,000,000, shall continue to be available for draws until such revenue bonds have been retired: Provided further, That notwithstanding any other provision of law, not more than 20 percent of the combined original principal amount shall be available for draws in any one year: Provided further, That notwithstanding any other provision of law, any draw (except for operation and maintenance expenses) shall be repaid not later than five years following the year in which such revenue bonds have been retired. In implementing this section, the Secretary may modify other terms of the existing Federal lines of credit, including by combining them into a single line of credit the principal amount of which is limited to $240,000,000, provided that the marginal budgetary cost of any such additional modifications is funded under section 188 of title 23, United States Code.

SEC. 346. None of the funds in this Act may be obligated or expended by the Federal Motor Carrier Safety Administration for the development or implementation of a pilot program for the purpose of allowing commercial drivers 18 to 20 years of age to operate the trucks and buses of motor carriers in interstate commerce.

SEC. 347. Section 1023(h) 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 vehicle which'' and inserting the following: ''to—

''(A) any over-the-road bus (as defined in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181)); or

''(B) any vehicle that''.

SEC. 348. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

SEC. 349. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 350. On February 15, 2003, and on each year thereafter, the National Railroad Passenger Corporation shall submit to the appropriate Congressional Committees a report detailing the per passenger operating loss on each rail line.

SEC. 351. DEPUTATION OF LAW ENFORCEMENT OFFICERS. (a) DEPUTATION AUTHORITY.—Subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

''SEC. 44922. DEPUTATION OF STATE AND LOCAL LAW ENFORCEMENT OFFICERS.

''(a) DEPUTATION AUTHORITY.—The Under Secretary of Transportation for Security may deputize a State or local law enforcement officer to carry out Federal airport security duties under this chapter.

''(b) FULFILLMENT OF REQUIREMENTS.—A State or local law enforcement officer who is deputized under this section shall be treated as a Federal law enforcement officer for purposes of meeting the requirements of this chapter and other provisions of law to provide Federal law enforcement officers to carry out Federal airport security duties.

''(c) AGREEMENTS.—To deputize a State or local law enforcement officer under this section, the Under Secretary shall enter into a voluntary agreement with the appropriate State or local law enforcement agency that employs the State or local law enforcement officer.

''(d) REIMBURSEMENT.—

''(1) IN GENERAL.—The Under Secretary shall reimburse a State or local law enforcement agency for all reasonable, allowable, and allocable costs incurred by the State or local law enforcement agency with respect to a law enforcement officer deputized under this section.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

''(e) FEDERAL TORT CLAIMS ACT.—A State or local law enforcement officer who is deputized under this section shall be treated as an 'employee of the Government' for purposes of sections 1346(b), 2401(b), and chapter 171 of title 28, United States Code, while carrying out Federal airport security duties within the course and scope of the officer's employment, subject to federal supervision and control, and in accordance with the terms of such deputation.

''(f) STATIONING OF OFFICERS.—The Under Secretary may allow law enforcement personnel to be stationed other than at the airport security screening location if that would be preferable for law enforcement purposes and if such personnel would still be able to provide prompt responsiveness to problems occurring at the screening location.''.

(b) SECURITY SERVICE FEE.—Section 44940(a)(1) of title 49, United States Code, is amended by adding at the end the following: ''For purposes of subparagraph (A), the term 'Federal law enforcement personnel' includes State and local law enforcement officers who are deputized under section 44922.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 449 of title 49, United States Code, is amended by adding at the end of the items relating to subchapter I the following:

''44922. Deputation of State and local law enforcement officers.''.

(d) DEPUTATION OF FEDERAL LAW ENFORCEMENT OFFICERS.—Section 114(q)(1) of title 49, United States Code, is amended by adding ''or other federal agency'' after ''Transportation Security Administration''.

SEC. 352. FAA NOTICE TO AIRMEN FDC 2/0199. (a) IN GENERAL.—The Secretary of Transportation—

(1) shall maintain in full force and effect, for a period of one year after the date of enactment of this Act, the restrictions imposed under Federal Aviation Administration Notice to Airmen FDC 2/0199 and the restrictions that had been in effect on September 26, 2002 and that were imposed under local Notices to Airmen based on or derived from Notice to Airmen FDC 1/3353;

(2) shall rescind immediately any waivers or exemptions from those restrictions that are in effect on the date of enactment of this Act; and

(3) may not grant any waivers or exemptions from those restrictions, except—

(A) as authorized by air traffic control for operational or safety purposes;

(B) for operational purposes of an event, stadium, or other venue, including (in the case of

a sporting event) equipment or parts, transport of team members, officials of the governing body and immediate family members and guests of such teams and officials to and from the event, stadium, or other venue;

(C) for broadcast coverage for any broadcast rights holder;

(D) for safety and security purposes of the event, stadium, or other venue; or

(E) to operate an aircraft in restricted airspace to the extent necessary to arrive at or depart from an airport using standard air traffic procedures.

(b) WAIVERS.—Beginning no earlier than one year after the date of enactment of this Act, the Secretary may modify or terminate such restrictions, or issue waivers or exemptions from such restrictions, if the Secretary promulgates, after public notice and an opportunity for comment, a rule setting forth the standards under which the Secretary may grant a waiver or exemption. Such standards shall provide a level of security at least equivalent to that provided by the waiver policy applied by the Secretary as of the date of enactment of this Act.

(c) FUNDING LIMITATION.—Unless and until the Secretary promulgates a rule in accordance with subsection (b) above, none of the funds made available in this Act or any other Act may be used to terminate or limit the restrictions described in paragraph (a)(1) above or to grant waivers of, or exemptions from, such restrictions except as provided in paragraph (a)(3) above.

(d) BROADCAST CONTRACTS NOT AFFECTED.—Nothing in this section shall be construed to affect contractual rights pertaining to any broadcasting agreement.

SEC. 353. None of the funds in this Act shall be used to procure Coast Guard ships, including main diesel engines, unless such procurement is in compliance with the Buy American Act, 41 U.S.C. 10(a)–10(d).

SEC. 354. Title 49, United States Code, is amended by striking subsection (d) of section 13703 and relettering subsequent subsections accordingly.

SEC. 355. No funds appropriated in this Act may be used to apply or enforce a regulatory requirement for strengthening of flight deck doors on classes of aircraft not specifically required to take such action under Public Law 107–71, section 104(a)(1), unless and until the Under Secretary of Transportation for Security, after opportunity for notice and comment, determines that such strengthening is necessary for aviation security purposes.

SEC. 356. Insert the following new section at the end of chapter 53 of Title 49, United States Code:

''SEC. 5339. Effective for funds not yet expended on the effective date of this section, the federal share for funds under this chapter for a grantee named in section 603(14) of Public Law 97–468 shall be the same as the federal share under 23 U.S.C. section 120(b) for federal aid highway funds apportioned to the state in which it operates.''.

SEC. 357. (a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with the State of Nevada, the State of Arizona, or both, to provide a method of funding for construction of a Hoover Dam Bypass Bridge from funds allocated for the Federal Lands Highway Program under section 202(b) of title 23, United States Code.

(b) METHODS OF FUNDING.—

(1) The agreement entered into under subsection (a) shall provide for funding in a manner consistent with the advance construction and debt instrument financing procedures for Federal-aid Highways set forth in sections 115 and 122 of title 23, except that the funding source may include funds made available under the Federal Lands Highway Program.

(2) Eligibility for funding under this subsection shall not be construed as a commitment, guarantee, or obligation on the part of the United States to provide for payment of principal or interest of an eligible debt financing instrument as so defined in section 122, nor create a right of a third party against the United States for payment under an eligible debt financing instrument. The agreement entered into pursuant to subsection (a) shall make specific reference to this provision of law.

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

SEC. 358. Hereafter, none of the funds appropriated or otherwise made available in this Act may be made available to any person or entity convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 359. 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.

SEC. 360. None of the funds provided in this Act or prior Appropriations Acts for Coast Guard ''Acquisition, construction, and improvements'' shall be available after the fifteenth day of any quarter of any fiscal year, unless the Commandant of the Coast Guard first submits to the House and Senate Committees on Appropriations a quarterly report on the agency's mission hour emphasis and a quarterly report on all major Coast Guard acquisition projects including projects executed for the Coast Guard by the United States Navy and vessel traffic service projects: Provided, That such acquisition reports shall include an acquisition schedule, estimated current and year funding requirements, and a schedule of anticipated obligations and outlays for each major acquisition project: Provided further, That such acquisition reports shall rate on a relative scale the cost risk, schedule risk, and technical risk associated with each acquisition project and include a table detailing unobligated balances to date and anticipated unobligated balances at the close of the fiscal year and the close of the following fiscal year should the Administration's pending budget request for the acquisition, construction, and improvements account be fully funded: Provided further, That such acquisition reports shall also provide abbreviated information on the status of shore facility construction and renovation projects: Provided further, That all information submitted in such mission hour emphasis and acquisition reports shall be current as of the last day of the preceding quarter.

SEC. 361. Of the funds made available for fiscal year 2003 in section 188(a)(1) of title 23, United States Code, along with any available unobligated balances of funds made available in prior years, $115,000,000 shall instead be available for the programs authorized in section 1101(a)(9) of Public Law 105–178, as amended, and $65,000,000 shall instead be made available for section 1221 of Public Law 105–178, as amended.

SEC. 362. Funds provided in this Act for the Working Capital Fund shall be reduced by $12,600,000, which limits fiscal year 2003 Working Capital Fund obligational authority for elements of the Department of Transportation funded in this Act to no more than $119,166,000: Provided, That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the Working Capital Fund.

SEC. 363. (a) Notwithstanding any other provision of law, and subject to the requirements of this section, the Secretary of Transportation is authorized to waive any of the terms, conditions, reservations, and restrictions contained in the deeds of conveyance and subsequent corrections to the deeds of conveyance under which the United States conveyed certain property to Gadsden, Alabama, for airport purposes.

(b) No waiver may be granted under subsection (a) if the waiver would result in the closure of an airport.

(c) Gadsden, Alabama, shall agree that in selling, leasing, or conveying any interest in, the property for which waivers are granted under subsection (a), the amount received by the city shall be used by the city for the development, improvement, operation, or maintenance of the Gadsden Municipal Airport.

SEC. 364. Of the funds made available under section 1101(a)(12) and section 1503 of Public Law 105–178, as amended, $8,000,000 are rescinded.

SEC. 365. TRANSFER OF FUNDS BETWEEN HIGHWAY PROJECTS, LAKE CHARLES, LOUISIANA.—Notwithstanding any other provision of law, funds made available for construction of roads and a bridge 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 1987 (101 Stat. 194; 109 Stat. 607) and item 17 of the table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2038) shall be made available for the project in Lake Charles, Louisiana, consisting of—

(1) construction of Nelson Access Road to the Port of Lake Charles as described in item 1596 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 315);

(2) planning, design, and reconstruction of Cove Lane exit from Interstate 210; and

(3) planning, design, and construction of West Prien Lake Road.

SEC. 366. Notwithstanding any other provision of law, of the funds available under section 104(a)(1)(A) of title 23, United States Code, for surface transportation projects, $13,000,000 shall be available to the Secretary to make grants to the Kentucky Turnpike Authority to pay the debt on bonds issued by the Kentucky Turnpike Authority before January 1, 2003, for the Daniel Boone Parkway, Kentucky, and the Cumberland Parkway, Kentucky.

SEC. 367. LETTERS OF INTENT FOR AIRPORT SECURITY IMPROVEMENT PROJECTS.—(a) The Under Secretary of Transportation for Security may issue a letter of intent to an airport committing to obligate from future budget authority an amount, not more than the Federal Government's share of the project's cost, for an airport security improvement project (including interest costs and costs of formulating the project) at the airport. The letter shall establish a schedule under which the Under Secretary will reimburse the airport for the Government's share of the project's costs, as amounts become available, if the airport, after the Under Secretary issues the letter, carries out the project without receiving amounts under Chapter 471 of title 49.

(b) The airport shall notify the Under Secretary of the airport's intent to carry out the airport security improvement project before the project begins.

(c) A letter of intent may be issued under this section only if—

(1) The airport security improvement project to which the letter applies involves the replacement of baggage conveyer systems or the reconfiguration of terminal baggage areas in order to install explosive detection systems; and

(2) The Under Secretary determines that the project will improve security or will improve the efficiency of the airport without lessening security.

(d) A letter of intent issued under this section is not an obligation of the Government under section 1501 of title 31, and the letter is not deemed to be an administrative commitment for financing. An obligation or administrative commitment may be made only as amounts are provided in authorization and appropriations laws.

(e) The Government's share of the project's cost shall be 75 percent for a project at an airport having at least 0.25 percent of the total

number of passenger boardings each year at all airports and 90 percent for a project at any other airport.

(f) Nothing in this section shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this section in the same fiscal year as the letter of intent is issued.

(g) The Under Secretary shall notify the House and Senate Committees on Appropriations, the House Transportation and Infrastructure Committee, and the Senate Commerce, Science, and Transportation Committee at least 3 days prior to the issuance of a letter of intent under this section.

(h) There is authorized to be appropriated to carry out this section $500,000,000 in each of fiscal years 2003, 2004, 2005, 2006, and 2007.

SEC. 368. 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. 369. 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. 370. (a) INCLUSION OF TOWERS IN AIRPORT DEVELOPMENT.—Section 47102(3) of title 49, United States Code, is amended by adding at the end the following:

''(M) constructing an air traffic control tower or acquiring and installing air traffic control, communications, and related equipment at an air traffic control tower under the terms specified in section 47124(b)(4).''.

(b) CONSTRUCTION OF AIR TRAFFIC CONTROL TOWERS.—

(1) IN GENERAL.—Section 47124(b)(4) of title 49, United States Code, is amended to read as follows:

''(4) CONSTRUCTION OF AIR TRAFFIC CONTROL TOWERS.—

''(A) GRANTS.—The Secretary may provide grants to a sponsor of—

''(i) a primary airport—

''(I) from amounts made available under sections 47114(c)(1) and 47114(c)(2) for the construction or improvement of a nonapproach control tower, as defined by the Secretary, and for the acquisition and installation of air traffic control, communications, and related equipment to be used in that tower;

''(II) from amounts made available under sections 47114(c)(1) and 47114(c)(2) for reimbursement for the cost of construction or improvement of a nonapproach control tower, as defined by the Secretary, incurred after October 1, 1996, if the sponsor complied with the requirements of sections 47107(e), 47112(b), and 47112(c) in constructing or improving that tower; and

''(III) from amounts made available under sections 47114(c)(1) and 47114(c)(2) for reimbursement for the cost of acquiring and installing in that tower air traffic control, communications, and related equipment that was acquired or installed after October 1, 1996; and

''(ii) a public-use airport that is not a primary airport—

''(I) from amounts made available under sections 47114(c)(2) and 47114(d) for the construction or improvement of a nonapproach control tower, as defined by the Secretary, and for the acquisition and installation of air traffic control, communications, and related equipment to be used in that tower;

''(II) from amounts made available under sections 47114(c)(2) and 47114(d)(3)(A) for reimbursement for the cost of construction or improvement of a nonapproach control tower, as defined by the Secretary, incurred after October 1, 1996, if the sponsor complied with the requirements of sections 47107(e), 47112(b), and 47112(c) in constructing or improving that tower; and

''(III) from amounts made available under sections 47114(c)(2) and 47114(d)(3)(A) for reimbursement for the cost of acquiring and installing in that tower air traffic control, communications, and related equipment that was acquired or installed after October 1, 1996.

''(B) ELIGIBILITY.—An airport sponsor shall be eligible for a grant under this paragraph only if—

''(i)(I) the sponsor is a participant in the Federal Aviation Administration contract tower program established under subsection (a) and continued under paragraph (1) or the pilot program established under paragraph (3); or

''(II) construction of a nonapproach control tower would qualify the sponsor to be eligible to participate in such program;

''(ii) the sponsor certifies that it will pay not less than 10 percent of the cost of the activities for which the sponsor is receiving assistance under this paragraph;

''(iii) the Secretary affirmatively accepts the proposed contract tower into a contract tower program under this section and certifies that the Secretary will seek future appropriations to pay the Federal Aviation Administration's cost of the contract to operate the tower to be constructed under this paragraph;

''(iv) the sponsor certifies that it will pay its share of the cost of the contract to operate the tower to be constructed under this paragraph; and

''(v) in the case of a tower to be constructed under this paragraph from amounts made available under section 47114(d)(2) or 47114(d)(3)(B), the Secretary certifies that—

''(I) the Federal Aviation Administration has consulted the State within the borders of which the tower is to be constructed and the State supports the construction of the tower as part of its State airport capital plan; and

''(II) the selection of the tower for funding is based on objective criteria.

''(C) LIMITATION ON FEDERAL SHARE.—The Federal share of the cost of construction of a nonapproach control tower under this paragraph may not exceed $1,100,000.''.

(2) CONFORMING AMENDMENTS.—Section 47124(b) of such title is amended—

(A) in paragraph (3)(A) by striking ''Level I air traffic control towers, as defined by the Secretary,'' and inserting ''nonapproach control towers, as defined by the Secretary,''; and

(B) in paragraph (3)(E) by striking ''Subject to paragraph (4)(D), of'' and inserting ''Of''.

(3) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, the towers for which assistance is being provided on the day before the date of enactment of this Act under section 47124(b)(4) of title 49, United States Code, as in effect on such day, may continue to be provided such assistance under the terms of such section.

(c) NONAPPROACH CONTROL TOWERS.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration may enter into a lease agreement or contract agreement with a private entity to provide for construction and operation of a nonapproach control tower as defined by the Secretary of Transportation.

(2) TERMS AND CONDITIONS.—An agreement entered into under this section—

(A) shall be negotiated under such procedures as the Administrator considers necessary to ensure the integrity of the selection process, the safety of air travel, and to protect the interests of the United States;

(B) may provide a lease option to the United States, to be exercised at the discretion of the Administrator, to occupy any general-purpose space in a facility covered by the agreement;

(C) shall not require, unless specifically determined otherwise by the Administrator, Federal ownership of a facility covered under the agreement after the expiration of the agreement;

(D) shall describe the consideration, duties, and responsibilities for which the United States and the private entity are responsible;

(E) shall provide that the United States will not be liable for any action, debt, or liability of any entity created by the agreement;

(F) shall provide that the private entity may not execute any instrument or document creating or evidencing any indebtedness with respect to a facility covered by the agreement unless such instrument or document specifically disclaims any liability of the United States under the instrument or document; and

(G) shall include such other terms and conditions as the Administrator considers appropriate.

(d) USE OF APPORTIONMENTS TO PAY NON-FEDERAL SHARE OF OPERATION COSTS.—

(1) STUDY.—The Secretary of Transportation shall conduct a study of the feasibility, costs, and benefits of allowing the sponsor of an airport to use not to exceed 10 percent of amounts apportioned to the sponsor under section 47114 to pay the non-Federal share of the cost of operation of an air traffic control tower under section 47124(b) of title 49, United States Code.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

SEC. 371. In addition to amounts otherwise made available by this Act, there is hereby appropriated $3,500,000, to remain available until expended, to enable the Secretary to maintain operations of the Midway Island airfield.

SEC. 372. Section 145(c) of Public Law 107–71 is amended by striking the number (18) and inserting the number (27).

SEC. 373. SUSQUEHANNA GREENWAY, MARYLAND. The table contained in section 1602 of the Transportation Equity Act for the 21st Century is amended in item 1603 (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 vans to convey bikers and pedestrians across the Susquehanna River between Cecil County and Harford County''.

SEC. 374. Item number 1320 in the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 305) is amended by striking ''Reconstruct 79th Street Traffic Circle, New York City'' and inserting ''Cross Harbor Freight Movement Project EIS, New York City''.

SEC. 375. Of the $3,400,000 appropriated under the heading ''Highway Demonstration Projects'' in Public Law 101–516 for Pennsylvania State Route 711 Bypass (Ligonier), the unobligated share shall be available for transportation projects in the counties of Allegheny, Armstrong, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland, Pennsylvania.

SEC. 376. Of the $900,000 appropriated under the heading ''Federal Highway Demonstration Projects'' in Public Law 102–143 for Pennsylvania State Route 711 Bypass (Ligonier), the unobligated share shall be available for transportation projects in the counties of Allegheny, Armstrong, Cambria, Fayette, Greene, Indiana, Somerset, Washington and Westmoreland, Pennsylvania.

SEC. 377. Of the funds made available in Public Law 107–87 under the Federal-aid Highways account to carry out 23 U.S.C. 129(c) and section 1064 of the Intermodal Surface Transportation Efficiency Act of 1991, as amended, $2,000,000 shall be transferred to the Federal Transit Administration's Formula Grant account and made available to the Jersey City Pier redevelopment and terminal construction project: Provided, That, notwithstanding any other provision of law, including 23 U.S.C. 104(k), such funds shall be administered under terms and conditions deemed appropriate by the Secretary.

This division may be cited as the ''Department of Transportation and Related Agencies Appropriations Act, 2003''.

DIVISION J—TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS, 2003

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes.

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,500,000 for official travel expenses; not to exceed $3,813,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $189,201,000: Provided, That the Office of Foreign Assets Control shall be funded at no less than $21,206,000 and 120 full time equivalent positions: Provided further, That of these amounts $2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering: Provided further, That of these amounts, $5,893,000 shall be for the Treasury-wide Financial Statement Audit Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: Provided further, That this transfer authority shall be in addition to any other provided 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 services for the Department of the Treasury, $65,628,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated 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 Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $35,736,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $125,011,000.

AIR TRANSPORTATION STABILIZATION PROGRAM

For necessary expenses to administer the Air Transportation Stabilization Board established by section 102 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, $28,932,000, 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 of these funds, such sums as may be necessary may be transferred to accounts of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary, $10,000,000, to remain available until expended, to reimburse any Department of the Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: Provided, That the entire dollar amount shall be available only to the extent that an official request for a specific dollar amount is transmitted by the President to the Congress.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $51,752,000, of which not to exceed $3,400,000 shall remain available until September 30, 2005; and of which $8,338,000 shall remain available until September 30, 2004: Provided, That funds appropriated in this account may be used to procure personal services contracts.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $134,986,000, of which $650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to $24,266,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2005, and of which up to 20 percent of the $24,266,000 also shall be available for travel, room and board costs for participating agency basic training during the first quarter of a fiscal year, subject to full reimbursement by the benefitting agency: Provided, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: Provided further, That the Center is authorized to accept detailees from other Federal agencies, on a non-reimbursable basis, to staff the accreditation function: Provided further, That notwithstanding any other provision of law, students attending training at any Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, (Public Law 104–32); training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $36,000,000, 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 cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $107,576,000.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $222,078,000, of which not to exceed $9,220,000 shall remain available until September 30, 2005, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; not to exceed $50,000 for cooperative research and development programs for Laboratory Services and Fire Research Center activities; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $886,430,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which up to $2,000,000 shall be available for the equipping of any 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 operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms; of which $13,000,000, to remain available until expended, shall be available for disbursements through grants, cooperative agreements or contracts to local governments for Gang Resistance Education and Training; and of which $3,200,000 for a new headquarters shall remain available until 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 no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,535 motor vehicles of which 550 are for replacement only and of which 1,500 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $2,527,155,000, of 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. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research; not less than $100,000 shall be available to promote public awareness of the child pornography tipline; not less than $200,000 shall be available for Project Alert; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; not to exceed $1,250,000 shall remain available until September 30, 2004 for strengthened enforcement of U.S. trade laws pertaining to steel; 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 activities in fiscal year 2003, not to exceed $5,000,000 shall remain available until expended for operations and support of such activities: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 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 collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment 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 reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $181,829,000, which shall remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security, during fiscal year 2003 without the prior approval of the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for Customs automated systems, $435,332,000, to remain available until expended, of which not less than $312,900,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the United States Customs Service's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Investment Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: Provided further, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2003 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $34,900,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $194,468,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization; and of which not to exceed $4,000,000 shall remain available until September 30, 2004 for the purpose of completing the shut-down of the savings bond marketing activity: Provided, That the sum appropriated herein from the General Fund for fiscal year 2003 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2003 appropriation from the General Fund estimated at $190,068,000. In addition, $40,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized

by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,955,777,000, of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, of which $7,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,729,072,000, of which not to exceed $1,000,000 shall remain available until September 30, 2005, for research, and of which not less than $60,000,000 shall be used to combat abusive tax shelters.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives, $146,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,632,444,000, which shall remain available until September 30, 2004.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $366,000,000, to remain available until September 30, 2005, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For necessary expenses to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $70,000,000, to remain available until September 30, 2004.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 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 resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 610 vehicles for police-type use for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $25,000 for official reception and representation expenses; not to exceed $100,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $1,029,150,000, of which $1,633,000 shall be available for forensic and related support of investigations of missing and exploited children, and of which $4,583,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended: Provided, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2004.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $3,519,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2003, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2003 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred 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 until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: 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'', Financial Management Service, 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 account from debt collections received in the Debt Services Account.

SEC. 119. Section 122(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 made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval 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 is directed to establish an accrediting body that will include representatives from the Federal law enforcement community, as well as non-Federal accreditation experts involved in law enforcement training. 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), under the heading ''Treasury Franchise Fund'', as amended by section 120 of the Treasury Department Appropriations Act, 2001 (enacted pursuant to section 1(a)(3) of Public Law 106–554), is further amended by striking ''until October 1, 2002'' and inserting ''until October 1, 2004''.

SEC. 125. AMENDMENT TO JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT ACT.—For fiscal year 2003 and thereafter, section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) INVESTMENT OF FUND ASSETS.—

''(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 only 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 chapter 31 of Title 31 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 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum 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.''; and

(2) by striking subsection (c) and inserting the following:

''(c) AUTHORITY TO SELL OBLIGATIONS.—At the request of the Center, the Secretary of the Treasury shall redeem any obligation issued directly to the fund. Obligations issued to the fund under subsection (b)(2) shall be redeemed at par plus accrued interest. Any other obligations issued directly to the fund shall be redeemed at the market price.''.

SEC. 126. AMENDMENT TO JAMES MADISON MEMORIAL FELLOWSHIP ACT.—For fiscal year 2003 and thereafter, section 811 of the James Madison Memorial Fellowship Act (20 U.S.C. 4510) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) INVESTMENT OF AMOUNTS APPROPRIATED.—

''(1) At the request of the Trust Fund, it shall be the duty of the Secretary of the Treasury to invest in full the amounts appropriated and contributed to the fund. Such investments may be made only 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 chapter 31 of Title 31 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 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. All requests of the Trust Fund to the Secretary of the Treasury provided for in this section shall be binding upon the Secretary.''; and

(2) by striking subsection (c) and inserting the following:

''(c) SALE OF OBLIGATIONS ACQUIRED BY FUND.—At the request of the Trust Fund, the Secretary of the Treasury shall redeem any obligation issued directly to the fund. Obligations issued to the fund under subsection (b)(2) shall be redeemed at par plus accrued interest. Any other obligations issued directly to the fund shall be redeemed at the market price.''.

SEC. 127. AUTHORITY FOR THE CREATION OF INTEGRATED BORDER INSPECTION AREAS AND DESIGNATION OF FOREIGN LAW ENFORCEMENT OFFICERS. (a) CREATION OF INTEGRATED BORDER INSPECTION AREAS.—

(1) The Commissioner of Customs, in consultation with the Canadian Customs and Revenue Agency (CCRA), shall seek to establish Integrated Border Inspection Areas (IBIAs), i.e., areas on either side of the United States-Canada border in which the United States Customs officers can inspect vehicles entering the United States from Canada before they enter the United States, or Canadian officers can inspect vehicles entering Canada from the United States before they enter Canada. This may include, where appropriate, employment of reverse inspection techniques.

(2) The Commissioner of Customs, in consultation with the Administrator of the General Services Administration when appropriate, shall endeavor to carry out the IBIA program in a manner that minimizes adverse impacts on the surrounding community.

(b) Section 1401(i) of title 19, United States Code, is amended by inserting '', including foreign law enforcement officers,'' after ''or other person''.

(c) Section 1629 of title 19, United States Code, is amended—

(1) in paragraph (a) by inserting '', or subsequent to their exit from,'' after ''prior to their arrival in'';

(2) in paragraph (c) by inserting ''or exportation'' after ''relating to the importation'' and by inserting ''or exit'' after ''port of entry'';

(3) in paragraph (e), by—

(A) inserting ''and agriculture inspection'' after ''customs'' in each instance where reference is currently made to ''customs officers'' or ''customs officials'' in this subsection;

(B) inserting ''and the Secretary of Agriculture'' after ''in coordination with the Secretary'';

(C) inserting ''or that have gone directly from that country to the United States'' after ''to that country from the United States'';

(D) inserting ''or exportation'' after ''governing the importation'';

(E) deleting ''and'' and inserting a comma (''','') after ''such functions'';

(F) inserting '', and enjoy such privileges and immunities'' after ''such duties'';

(G) inserting ''or are afforded'' after ''authorized to perform''; and

(H) deleting ''under reciprocal agreement'' and inserting ''by treaty, agreement or law''.

(4) by adding at the end the following:

''(g) Persons designated to perform the duties of an officer of the Customs Service pursuant to section 1401 (i) of this title shall be entitled to the same privileges and immunities as an officer of the Customs Service with respect to any actions taken by the designated person in the performance of such duties.''.

This title may be cited as the ''Treasury Department Appropriations Act, 2003''.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $60,014,000, of which $31,014,000 shall not be available for obligation until October 1, 2003: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2003.

This title may be cited as the ''Postal Service Appropriations Act, 2003''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $50,715,000: Provided, That $8,650,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

OFFICE OF HOMELAND SECURITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Homeland Security, pursuant to Executive Order No. 13288, $19,398,000: Provided, That the Office of Homeland Security shall submit a report identifying estimated obligations for each function assigned to this Office pursuant to Executive Order No. 13288 to the Committees on Appropriations no later than November 1, 2002.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,228,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further,

That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth 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 events, 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 for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, 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 issues, 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 that section; and hire of passenger motor vehicles, $4,066,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $324,000: Provided, That advances or repayments or transfers 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

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,763,000.

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, $3,251,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $7,821,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $91,505,000, of which $17,470,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: Provided, That the Executive Office of the President shall submit a report to the Committees on Appropriations that includes a current description of: (1) the Enterprise Architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers Council guidance; (2) the Information Technology (IT) Human Capital Plan; (3) the capital investment plan for implementing the Enterprise Architecture; and (4) the IT capital planning and investment control process: Provided further, That this report shall be reviewed and approved by the Office of Management and Budget, and reviewed by the General Accounting Office.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $62,394,000, of which not to exceed $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 expenses: 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 may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except 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 Appropriations or the Committees on Veterans' Affairs: Provided further, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who, after February 15, 2003, calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $26,456,000; of which $2,350,000 shall remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office: Provided further, That $5,000,000 of these funds shall not be obligated until the Director submits performance measures of effectiveness for the High Intensity Drug Trafficking Areas program to the House Committee on Appropriations: Provided further, That $2,000,000 of these funds shall not be obligated until the Director submits, and the Committees on Appropriations approve, a human capital strategy for the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $48,000,000, which shall remain available until expended, consisting of $22,000,000 for counternarcotics research and development projects, and $26,000,000 for the continued operation of the technology transfer program: Provided, That the $22,000,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $226,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: Provided, That up to 49 percent, to remain available until September 30, 2004, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,100,000 shall be used for auditing services and associated activities, and at least $500,000 of the $2,100,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2002, shall be funded at no less than the fiscal year 2002 initial allocation levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness: Provided

further, That no funds of an amount in excess of the fiscal year 2003 budget request shall be obligated prior to the approval of the Committee on Appropriations: Provided further, That no funds shall be used for any further or additional consolidation of the Southwest Border High Intensity Drug Trafficking Area, except for the operation of an office with a coordinating role, until the Office submits a report on the structure of the Southwest Border High Intensity Drug Trafficking Area.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $223,200,000, to remain available until expended, of which the following amounts are available as follows: $150,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998; $60,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be a directed grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; $3,000,000 for the Counterdrug Intelligence Executive Secretariat; $2,000,000 for evaluations and research related to National Drug Control Program performance measures; $1,000,000 for the National Drug Court Institute; $6,400,000 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 carry out such activities.

UNANTICIPATED NEEDS

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

This title may be cited as the ''Executive Office Appropriations Act, 2003''.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,658,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $49,866,000, of which no less than $5,866,700 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $28,950,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

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 to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), $375,711,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $7,006,033,000, of which: (1) $717,488,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Arkansas:

Little Rock, United States Courthouse Annex, $77,154,000

California:

San Diego, United States Courthouse Annex, $23,901,000

District of Columbia:

Washington, Southeast Federal Center Site Remediation, $6,472,000

Florida:

Fort Pierce, United States Courthouse, $2,744,000

Orlando, United States Courthouse, $79,261,000

Iowa:

Cedar Rapids, United States Courthouse, $5,167,000

Maine:

Jackman, Border Station, $9,194,000

Maryland:

Montgomery County, FDA consolidation, $37,600,000

Suitland, National Oceanic and Atmospheric Administration II, $9,461,000

Suitland, United States Census Bureau, $176,919,000

Mississippi:

Jackson, United States Courthouse, $7,276,000

Missouri:

Cape Girardeau, United States Courthouse, $49,300,000

Montana:

Raymond, Border Station, $7,753,000

New York:

Brooklyn, United States Courthouse Annex—GPO, $39,500,000

Champlain, Border Station, $4,000,000.

Massena, Border Station, $1,646,000

New York, United States Mission to the United Nations, $57,053,000

North Dakota:

Portal, Border Station, $2,201,000

Oregon:

Eugene, United States Courthouse, $77,374,000

Tennessee:

Nashville, United States Courthouse, $7,095,000

Texas:

Austin, United States Courthouse, $13,809,000

Utah:

Salt Lake City, United States Courthouse, $9,783,000

Washington:

Oroville, Border Station, $6,572,000

Nationwide:

Nonprospectus Construction, $6,253,000:

Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2004, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $951,529,000 shall remain available until expended for repairs and alterations, of which $358,340,000 shall be available for basic repairs and alterations and $593,189,000 shall be available for the following repairs and alterations projects, which includes associated design and construction services:

California:

Los Angeles, Federal Building, 300 North Los Angeles Street

San Francisco, Appraisers Building

San Francisco, 50 United Nations Plaza Federal Building (design)

Tecate, Tecate United States Border Station

Colorado:

Denver, Byron G. Rogers Federal Building and Courthouse

Lakewood, Denver Federal Center, Building 53 (design)

Connecticut:

New Haven, Robert N. Gaimo Federal Building

District of Columbia:

Federal Office Building 10A Garage

Harry S Truman Building (State)

GSA Central Office (design)

GSA Regional Office Building (design)

Herbert C. Hoover Building (design)

Hawaii:

Hilo, Federal Building and Post Office (design)

Illinois:

Chicago, United States Custom House

Iowa:

Davenport, Federal Building and United States Courthouse

Maryland:

Baltimore, Metro West

Baltimore, George H. Fallon Federal Building (design)

Woodlawn, Operations Building

Massachusetts:

Boston, John F. Kennedy Federal Building Plaza

Minnesota:

St. Paul, Warren E. Burger Federal Building and U.S. Courthouse (design)

Missouri:

Kansas City, Bannister Federal Complex, Building 1

Kansas City, Bannister Federal Complex, Building 2

New Hampshire:

Manchester, Norris Cotton Federal Building

Portsmouth, Thomas J. McIntyre Federal Building

New York:

New York, Jacob K. Javits Federal Building

Ohio:

Cleveland, Howard M. Metzenbaum United States Courthouse

Columbus, John W. Bricker Federal Building (design)

Pennsylvania:

Pittsburgh, William S. Moorhead Federal Building

Texas:

Dallas, Earle Cabell Federal Building—Courthouse and Santa Fe Federal Building

Fort Worth, Fritz Garland Lanham Federal Building

Washington:

Seattle, Henry M. Jackson Federal Building

Seattle, William Kenzo Nakamura, U.S. Courthouse (design)

Auburn Warehouse Complex (design)

Nationwide:

Elevator Program, Glass Fragmentation Program and Anti-Terrorism Program:

Provided further, That funds made available in any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in any previous Act 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: Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance 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 improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated 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 authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2004 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (3) $178,960,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $3,113,211,000 for rental of space which shall remain available until expended; and (5) $1,965,160,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2003, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $7,006,033,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

POLICY AND CITIZEN SERVICES

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; providing Internet access to Federal information and services; and services as authorized by 5 U.S.C. 3109, $66,304,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; telecommunications, information technology management, and related technology activities; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $83,663,000, of which $17,463,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $37,916,000: Provided, That not to exceed $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 and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector 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, through the development and implementation of innovative uses of the Internet and other electronic methods, $5,000,000, to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,339,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

ELECTION REFORM REIMBURSEMENTS

For necessary expenses to carry out a program under which a one-time payment shall be made to the chief election authority of each State which, on a Statewide basis, obtained optical scan or electronic voting equipment for the administration of elections for Federal office in the State prior to the regularly scheduled general election for Federal office in November 2000, $15,000,000: Provided, That the amount of the payment made with respect to a State under such program shall be equal to the costs incurred by the State in obtaining optical scan or electronic voting equipment used to administer the most recent regularly scheduled general election for Federal office in the State, except that in no case may the amount of the payment exceed $4,000 per voting precinct in the State at the time of the election: Provided further, That total payments made under such program shall not exceed $15,000,000.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from 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 of passenger motor vehicles.

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: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) 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 the fiscal year 2004 request must be accompanied 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 through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund 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 $250,000 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 DAN 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 Dan M. Russell, Jr. Federal Building and United States Courthouse''.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Judge Dan M. Russell, Jr. Federal Building and United States Courthouse''.

SEC. 409. DESIGNATION. (a) The United States courthouse located at 100 Federal Plaza in Central Islip, New York, shall be known and designated as the ''Alfonse M. D'Amato United States Courthouse''.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Alfonse M. D'Amato United States Courthouse''.

SEC. 410. DESIGNATION OF CESAR E. CHAVEZ MEMORIAL BUILDING. (a) The building known as the Colonnade Center, located at 1244 Speer Boulevard, Denver, Colorado, shall be known and designated as the ''Cesar E. Chavez Memorial Building''.

(b) Any reference in law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Cesar E. Chavez Memorial Building''.

SEC. 411. For gross obligations for the principal amount of a direct loan as defined by Section 502 of the Congressional Budget Act of 1974, not to exceed $250,000, to be available from amounts transferred by Treasury to the ''Disposal of surplus real and related personal property'' account of the General Services Administration.

SEC. 412. DESIGNATION OF RICHARD SHEPPARD ARNOLD UNITED STATES COURTHOUSE. (a) The United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, and any addition to the courthouse that may hereafter be constructed, shall be known and designated as the ''Richard Sheppard Arnold United States Courthouse''.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''Richard Sheppard Arnold United States Courthouse''.

SEC. 413. (a) Notwithstanding any other provision of law, the Administrator of General Services is authorized to acquire, by purchase, condemnation, or otherwise, the properties known as 26 West Market Street, 30 West Market Street, 39 West Market Street, and 40 West Market Street in Salt Lake City, Utah. In so acquiring, the Administrator shall comply with applicable environmental and historical preservation statutes. This authority is in addition to the authority of the Administrator to acquire any sites necessary for construction of the new United States Courthouse in Salt Lake City, Utah.

(b) In addition, the Administrator is authorized to relocate the historical building currently located at 39 West Market Street, Salt Lake City, Utah, to the parcels known as 26, 30, and 40 West Market Street, Salt Lake City, Utah, and after the relocation the Administrator is authorized to sell by auction, or upon such other terms and conditions as the Administrator deems proper, the properties known as 26, 30, and 40 West Market Street. All proceeds from such sale shall be deposited into the fund established under section 592 of title 40, United States Code, and shall not be available for obligation until authorized by a future appropriations Act.

(c) Funds made available in previous appropriations Acts for site, design and construction 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, may be used 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. DESIGNATION OF ELDON B. MAHON UNITED STATES COURTHOUSE. (a) The United States Courthouse located at 501 West 10th Street in Fort Worth, Texas, shall be known and designated as the ''Eldon B. Mahon United States Courthouse''.

(b) Any references 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 ''Eldon B. Mahon United States Courthouse''.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board 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, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $32,027,000 together with not to exceed $2,626,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

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 the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $1,996,000, to remain available until expended: Provided, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

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 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $249,875,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: Provided further, That of the funds made available, $11,837,000 is for the electronic records archive, $10,137,000 of which shall be available until September 30, 2005: Provided further, That, of the funds provided in this paragraph, $600,000 shall be for the preservation of the records of the Freedmen's Bureau, as required by section 2910 of title 44, United States Code, and as authorized by section 3 of the Freedmen's Bureau Records Preservation Act of 2000 (Public Law 106–444).

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $14,208,000, to remain available until expended, of which $1,250,000 is for the Military Personnel Records Center preliminary design studies, $3,250,000 is for repairs to the Lyndon Baines Johnson Presidential Library Plaza, and $3,750,000 is for locating, purchasing, 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, $6,500,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $10,557,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; 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; not to exceed $2,500 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 activities require an employee to remain overnight at his or her post of duty, $129,486,000, of which $24,000,000 shall remain available until expended for the cost of the government-wide human resources data network project, and $2,500,000 shall remain available until expended for the cost of leading the government-wide initiative to modernize the Federal payroll systems and service delivery; and 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 automating the retirement recordkeeping 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), 8909(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 Legal Examining 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 the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2003, accept donations of money, property, and 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.

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. 3109, hire of passenger motor vehicles, $1,519,000, and in addition, not to exceed $10,886,000 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. 849), 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 Acts to be credited to the Civil Service 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, 1950, 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, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $12,449,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $37,305,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

For necessary expenses of the White House Commission on the National Moment of Remembrance, as authorized by Public Law 106–579, $250,000.

This title may be cited as the ''Independent Agencies Appropriations Act, 2003''.

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 through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, 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 to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 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 by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Buy American Act (41 U.S.C. 10a–10c).

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 financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made 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 statement made 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 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 appropriations made available for salaries and expenses for fiscal year 2003 in this Act, shall remain available through September 30, 2004, for each such account 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 these requests shall be made in compliance with reprogramming guidelines.

SEC. 509. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

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

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 510. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 511. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 512. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 513. ENDOWMENT FOR PRESIDENTIAL LIBRARIES. Section 2112(g) of title 44, United States Code, is amended by adding at the end the following:

''(5)(A) Notwithstanding paragraphs (3) and (4) (to the extent that such paragraphs are inconsistent with this paragraph), this subsection shall be administered in accordance with this paragraph with respect to any Presidential archival depository created as a depository for the papers, documents, and other historical materials and Presidential records pertaining to any President who takes the oath of office as President for the first time on or after July 1, 2002.

''(B) For purposes of subparagraphs (A)(ii), (B)(i)(II), and (B)(ii)(II) of paragraph (3) the percentage of 40 percent shall apply instead of 20 percent.

''(C)(i) In this subparagraph, the term 'base endowment amount' means the amount of the endowment required under paragraph (3).

''(ii)(I) The Archivist may give credits against the base endowment amount if the Archivist determines that the proposed Presidential archival depository will have construction features or equipment that are expected to result in quantifiable long-term savings to the Government with respect to the cost of facility operations.

''(II) The features and equipment described under subclause (I) shall comply with the standards promulgated by the Archivist under subsection (a)(2).

''(III) The Archivist shall promulgate standards to be used in calculating the dollar amount of any credit to be given, and shall consult with all donors of the endowment before giving any credits. The total dollar amount of credits given under this paragraph may not exceed 20 percent of the base endowment amount.

''(D)(i) In calculating the additional endowment amount required under paragraph (4), the Archivist shall take into account credits given under subparagraph (C), and may also give credits against the additional endowment amount required under paragraph (4), if the Archivist determines that construction features or equipment used in making or equipping the

physical or material change or addition are expected to result in quantifiable long-term savings to the Government with respect to the cost of facility operations.

''(ii) The features and equipment described under clause (i) shall comply with the standards promulgated by the Archivist under subsection (a)(2).

''(iii) The Archivist shall promulgate standards to be used in calculating the dollar amount of any credit to be given, and shall consult with all donors of the endowment before giving any credits. The total dollar amount of credits given under this paragraph may not exceed 20 percent of the additional endowment amount required under paragraph (4).''.

SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 515. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of Homeland Security.

SEC. 516. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 517. The provision of section 516 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 518. None of the funds provided in this Act may be used to procure any products, articles, goods, or wares mined, manufactured, or produced wholly or in part by forced or indentured child labor as identified in the 1995 U.S. Department of Labor Report on Forced and Bonded Child Labor, the 2002 U.S. Department of Labor Findings on the Worst Forms of Child Labor, or the most recent U.S. Department of State Human Rights Country Reports.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2003 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, 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 these limits may be exceeded 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 clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: 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 Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

SEC. 608. Funds made available by 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 rent in the District of Columbia; services 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. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2003, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury and General Government Appropriations Act, 2002, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2003, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder of fiscal year 2003, in an amount that exceeds, as a result of a wage survey adjustment,

the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2003 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2003 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 2002 under such section.

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

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2002, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2002, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2002.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

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

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to such section 307, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

SEC. 620. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 621. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) 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 preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 622. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) 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 that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 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 nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an 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 shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 623. No part of any funds appropriated in this or any other 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, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 624. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 625. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 626. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 627. (a) In this section the term ''agency''—

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

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

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 628. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 629. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse the ''Policy and Citizen Services'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred or reimbursed shall not exceed $17,000,000. Such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 630. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 631. Nothwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 632. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 633. Section 403(f) of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking ''October 1, 2002'' and inserting ''October 1, 2003''.

SEC. 634. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

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

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 635. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF Health Plans, Inc.; and

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

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

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 636. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 637. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2003 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.1 percent and shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2003.

(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2003.

SEC. 638. Not later than 6 months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.

SEC. 639. UNITED STATES POSTAL SERVICE. (a) The United States Postal Service (USPS) is required under title 5, chapter 83, United States Code, to fund Civil Service Retirement System benefits attributable to USPS employment since 1971.

(b) The Office of Personnel Management has reviewed the USPS financing of the Civil Service Retirement System and determined current law payments overfund USPS liability.

(c) Therefore, it is the Sense of the Congress that the Congress should address the USPS funding of the Civil Service Retirement System pension benefits.

SEC. 640. SENSE OF CONGRESS ON PAY PARITY. It is the sense of Congress that there should be parity between the adjustments in the compensation of members of the uniformed services and the adjustments in the compensation of civilian employees of the United States, including blue collar Federal employees paid under the Federal Wage System.

SEC. 641. (a) IN GENERAL.—The Administrator of General Services shall accept all right, title and interest in the property described in subsection (b)—

(1) if written offer therefor (accompanied by such proof of title, property descriptions, and other information as the Administration may require) is received by the Administrator from the owner of such property within 12 months after the date of enactment of this Act;

(2) if all liability with respect to such property and the owner of such property will remain with the owner;

(3) if the private sector is unable to dispose of contaminants in the building on such property;

(4) if the Administrator determines that a significant public health risk exists from such property; and

(5) if the Administrator identifies an appropriate Federal agency to accept all right, title, and interest in such property.

(b) PROPERTY LOCATION.—The property described in this subsection is the property located at 5401 NW Broken Sound Boulevard, Boca Raton, Florida, and all improvements thereon.

(c) CONSIDERATION.—The United States shall pay an amount that does not exceed $1 in consideration of any right, title, or interest received by the United States under this section.

(d) REPORT.—Not later than 270 days after the date of enactment of this Act, the Administrator shall transmit to Congress a comprehensive report describing the efforts made by the Administrator to fulfill the conditions described in subsection (a).

SEC. 642. (a) Notwithstanding paragraph (17) of subsection (a) of the Policemen and Firemen's Retirement and Disability Act (sec. 5–701(17), D.C. Official Code) or any other provision of such Act to the contrary, for purposes of determining the amount of an annuity required to be paid under such Act with respect to a United States Secret Service member who retired during the period from November 1, 1994, through October 29, 1995 and who received availability pay under 5 U.S.C. 5545a during that period, the member's average pay shall be computed as if the member received availability pay for the 12 consecutive months during which the highest salary was earned prior to retirement.

(b) Subsection (a) shall apply with respect to an annuity paid—

(1) on or after November 1, 1994, in the case of a survivor's annuity paid with respect to a Secret Service member described in subsection (a); or

(2) on or after October 1, 2002, with respect to a Secret Service member described in subsection (a).

SEC. 643. Section 902(b) of the Law Enforcement Pay Equity Act of 2000 (as enacted into law by Public Law 106–554), shall cease to be effective on the first day of the first pay period on or after January 1, 2003.

SEC. 644. No funds appropriated under this Act or any other Act with respect to any fiscal year shall be available to take any action based upon any provision of 5 U.S.C. 552 with respect to records collected or maintained pursuant to 18 U.S.C. 846(b), 923(g)(3) or 923(g)(7), or provided by Federal, State, local, or foreign law enforcement agencies in connection with arson or explosives incidents or the tracing of a firearm, except that such records may continue to be disclosed to the extent and in the manner that records so collected, maintained, or obtained have been disclosed under 5 U.S.C. 552 prior to the date of the enactment of this Act.

SEC. 645. (a) Section 9505(d) of title 5, United States Code, is amended by striking the second sentence and inserting the following: ''Such amount may not exceed the maximum amount which would be allowable under paragraph (3) of section 5384(b) if such paragraph were applied by substituting 'the Internal Revenue Service' for 'an agency'. ''.

(b) The amendment made by subsection (a) shall apply with respect to fiscal years beginning after September 30, 2002.

SEC. 646. None of the funds made available in this Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 647. While nothing in this section shall prevent any agency of the executive branch from subjecting work performed by Federal Government employees or private contractors to public-private competition or conversions, none of the funds made available in this Act may be used by an agency of the executive branch to establish, apply, or enforce any numerical goal, target, or quota for subjecting the employees of the executive agency to public-private competitions or for converting such employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy unless the goal, target, or quota is based on considered research and sound analysis of past activities and is consistent with the stated mission of the executive agency. Nothing in this section shall limit the use of such funds for the administration of the Government Performance and Results Act of 1993 or for the administration of any other provision of law.

SEC. 648. (a) Section 8335(a) of title 5, United States Code, is amended by striking ''8336'' and inserting ''8336(e)''.

(b) The amendment made by subsection (a) shall be effective as of January 1, 2003.

This division may be cited as the ''Treasury and General Government Appropriations Act, 2003''.

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.

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, corporations, and offices for the fiscal year ending September 30, 2003, and for other purposes, namely:

TITLE I—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. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of article IV of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $28,949,000,000, to remain available until expended: Provided, That not to exceed $17,138,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

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 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $2,264,808,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 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 PROGRAM ACCOUNT

(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, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That during fiscal year 2003, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $168,207,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,400.

In addition, for administrative expenses necessary to carry out the direct loan program, $70,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $55,000, as authorized by 38 U.S.C. chapter 31, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,626,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $289,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $558,000, which may be transferred to and merged with the appropriation for ''General operating expenses'': Provided, That no new loans in excess of $5,000,000 may be made in fiscal year 2003.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter VI, not to exceed $750,000 of the amounts appropriated by this Act for ''General

operating expenses'' and ''Medical care'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq., $23,889,304,000, plus reimbursements: Provided, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That of the funds made available under this heading, not to exceed $900,000,000 shall be available until September 30, 2004: Provided further, That the Secretary of Veterans Affairs shall conduct by contract a program of recovery audits for the fee basis and other medical services contracts with respect to payments for hospital care; and, notwithstanding 31 U.S.C. 3302(b), amounts collected, by setoff or otherwise, as the result of such audits shall be available, without fiscal year limitation, for the purposes for which funds are appropriated under this heading and the purposes of paying a contractor a percent of the amount collected as a result of an audit carried out by the contractor: Provided further, That all amounts so collected under the preceding proviso with respect to a designated health care region (as that term is defined in 38 U.S.C. 1729A(d)(2)) shall be allocated, net of payments to the contractor, to that region.

MEDICAL CARE COLLECTIONS FUND

(INCLUDING TRANSFER OF FUNDS)

Amounts deposited during the current fiscal year in the Department of Veterans Affairs Medical Care Collections Fund under section 1729A of title 38, United States Code, may be transferred to ''Medical care'', to remain available until expended.

MEDICAL AND PROSTHETIC RESEARCH

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2004, $400,000,000, plus reimbursements: Provided, That of the funds available under this heading $5,000,000 shall be transferred to ''Medical care'' for research oversight activities.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $74,716,000, of which $3,000,000 shall be available until September 30, 2004, plus reimbursements: Provided, That technical and consulting services offered by the Facilities Management Field Support Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2003.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,254,000,000: Provided, That expenses for services and assistance authorized under 38 U.S.C. 3104(a)(1), (2), (5), and (11) that the Secretary determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $992,100,000: Provided further, That of the funds made available under this heading, not to exceed $66,000,000 shall be available for obligation until September 30, 2004: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines: Provided further, That travel expenses for this account shall not exceed $17,082,000.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $133,149,000, of which $6,000,000 shall be available until September 30, 2004.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $58,000,000, to remain available until September 30, 2004.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or 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, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $4,000,000 or more or where funds for a project were made available in a previous major project appropriation, $99,777,000, to remain available until expended, of which $5,000,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities; and of which $10,000,000 shall be to make reimbursements as provided in 41 U.S.C. 612 for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2003, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2003; and (2) by the awarding of a construction contract by September 30, 2004: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not 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 constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or 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, $226,000,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost 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 or for the use of the department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $100,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by 38 U.S.C. 2408, $32,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2003 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2003 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2003 for ''Compensation and pensions'', ''Readjustment benefits'', 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 Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2003, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 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 provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Notwithstanding any other provision of law, the Department of Veterans Affairs shall continue the Franchise Fund pilot program authorized to be established by section 403 of Public Law 103–356 until October 1, 2003: Provided, That the Franchise Fund, established by title I of Public Law 104–204 to finance the operations of the Franchise Fund pilot program, shall continue until October 1, 2003.

SEC. 109. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

SEC. 110. Funds available in any Department of Veterans Affairs appropriation for fiscal year 2003 or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and 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 Resolution Management and $3,010,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 111. No appropriations in this Act for the Department of Veterans Affairs shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of the Congress approve within 30 days following the date on which the report is received.

SEC. 112. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or treatment of any person by reason of eligibility under section 1710(a)(3) of title 38, United States Code, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require—

(1) current, accurate third-party reimbursement information for purposes of section 1729 of such title; and

(2) annual income information for purposes of section 1722 of such title.

SEC. 113. (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.

(2) The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1729B.

(b) Section 1729A(b) of such title is amended—

(1) by redesignating paragraph (8) as paragraph (10); and

(2) by inserting after paragraph (7) the following new paragraphs:

''(8) Section 8165(a) of this title.

''(9) Section 113 of the Veterans Millennium Health Care and Benefits Act (Public Law 106–117; 38 U.S.C. 8111 note).''.

(c) Section 1722A of such title is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''under subsection (a)'' and inserting ''under this section''; and

(B) by striking the second sentence; and

(2) by striking subsection (d).

(d)(1) Section 8165 of such title is amended by striking ''Department of Veterans Affairs Health Services Improvement Fund established under section 1729B of this title'' and inserting ''Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of this title''.

(2) Section 113(b) 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 Health Services Improvement Fund established under section 1729B of title 38, United States Code, as added by section 202'' and inserting ''Department of Veterans Affairs Medical Care Collections Fund established under section 1729A of title 38, United States Code''.

SEC. 114. Of the amounts provided in this Act, $19,900,000 shall be for information technology initiatives to support the enterprise architecture of the Department of Veterans Affairs.

SEC. 115. None of the funds in this Act may be used to implement sections 2 and 5 of Public Law 107–287.

SEC. 116. Notwithstanding any other provision of this Act, the $23,889,304,000 provided for ''Medical care'' under this title shall be exempt from the across-the-board rescission under section 601 of division N.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

For activities and assistance under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) (''the Act'' herein), not otherwise provided for, $17,223,566,000, and amounts that are recaptured in this account, to remain available until expended: Provided, That of the amounts made available under this heading, $13,023,566,000 and the aforementioned recaptures shall be available on October 1, 2002 and $4,200,000,000 shall be available on October 1, 2003: Provided further, That amounts made available under this heading are provided as follows:

(1) $15,278,370,500 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts, for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for the 1-year renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for renewals of expiring section 8 tenant-based annual contributions contracts (including amendments and renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act (42 U.S.C. 1437f(t))): Provided, That notwithstanding any other provision of law, the Secretary shall renew expiring section 8 tenant-based annual contributions contracts for each public housing agency (including for agencies participating in the Moving to Work demonstration, unit months representing section 8 tenant-based assistance funds committed by the public housing agency for specific purposes, other than reserves, that are authorized pursuant to any agreement and conditions entered into under such demonstration, and utilized in compliance with any applicable program obligation deadlines) based on the total number of unit months which were under lease as reported on the most recent end-of-year financial statement submitted by the public housing agency to the Department, adjusted by such additional information submitted by the public housing agency to the Secretary which the Secretary determines to be timely and reliable regarding the total number of unit months under lease at the time of renewal of the annual contributions contract, and by applying an inflation factor based on local or regional factors to the actual per unit cost as reported on such statement: Provided further, That none of the funds made available in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract;

(2) $391,922,000 for a central fund to be allocated by the Secretary for amendments to section 8 tenant-based annual contributions contracts for such purposes set forth in this paragraph: Provided, That subject to the following proviso, the Secretary may use amounts made available in such fund, as necessary, for contract amendments resulting from a significant increased in the per unit cost of vouchers or an

increase in the total number of unit months under lease as compared to the per unit cost or the total number of unit months provided for by the annual contributions contract: Provided further, That if a public housing agency, at any point in time during their fiscal year, has obligated the amounts made available to such agency pursuant to paragraph (1) under this heading for the renewal of expiring section 8 tenant-based annual contributions contracts, and if such agency has expended fifty percent of the amounts available to such agency in its annual contributions contract reserve account, the Secretary shall make available such amounts as are necessary from amounts available from such central fund to fund amendments under the preceding proviso within thirty days of a request from such agency: Provided further, That none of the funds made available in this paragraph may be used to support a total number of unit months under lease which exceeds a public housing agency's authorized level of units under contract: Provided further, That the Secretary shall provide quarterly reports to the Committees on Appropriations of the House and the Senate on the obligation of funds provided in this paragraph in accordance with the directions specified in the joint explanatory statement of the managers accompanying this Act;

(3) $234,016,500 for section 8 rental assistance for relocation and replacement of housing units that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act (42 U.S.C.1437f(t)), and tenant protection assistance, including replacement and relocation assistance;

(4) $48,000,000 for family self-sufficiency coordinators under section 23 of the Act;

(5) not to exceed $1,072,257,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which $69,547,000 is for such expenses associated with section 8 tenant-based assistance provided under this heading in paragraphs (2) and (3): Provided, That, the fee otherwise authorized under section 8(q) of the Act shall be determined in accordance with section 8(q), as in effect immediately before the enactment of the Quality Housing and Work Responsibility Act of 1998: Provided further, That none of the funds made available in this paragraph shall be provided to any public housing agency unless such agency reports to the Secretary the amounts remaining available as of January 31, 2003 in such agency's administrative reserve fee account: Provided further, That, notwithstanding any other provision of law or regulation, the amount of fiscal year 2003 fee payments otherwise authorized pursuant to the first proviso in this paragraph for a public housing agency shall be reduced accordingly by any such amounts remaining in such agency's administrative fee reserve account as of January 31, 2003 which exceed 105 percent of the amount of fees paid to such agency from funds made available in fiscal year 2002: Provided fruther, That the preceding proviso shall not apply to any public housing agency if the amount of fiscal year 2003 fee payments otherwise authorized to be provided to such agency pursuant to the first proviso in this paragraph does not exceed $100,000: Provided further, That, hereafter, the Secretary shall recapture any funds provided in this paragraph from a public housing agency which are in excess of the amounts expended by such agency for the section 8 tenant-based rental assistance program and not otherwise needed to maintain an administrative fee reserve account balance of not to exceed five percent: Provided further, That the Secretary shall provide a report to the Committees on Appropriations of the House of Representatives and the Senate no later than July 1, 2003, on the administrative costs and other expenses associated with the section 8 tenant-based rental assistance program in accordance with the directions included in the statement of the managers accompanying this conference report;

(6) $196,000,000 for contract administrators for section 8 project-based assistance; and

(7) not less than $3,000,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve activities under ''Public and Indian Housing'': Provided, That the Secretary may transfer up to 15 percent of funds provided under paragraphs (1), (2) or (5), herein to paragraphs (1), (2) or (5), if the Secretary determines that such action is necessary because the funding provided under one such paragraph otherwise would be depleted and as a result, the maximum utilization of section 8 tenant-based assistance with the funds appropriated for this purpose by this Act would not be feasible: Provided further, That prior to undertaking the transfer of funds in excess of 10 percent from any paragraph pursuant to the previous proviso, the Secretary shall notify the Chairman and Ranking Member of the Subcommittees on Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate and shall not transfer any such funds until 30 days after such notification: Provided further, That, hereafter, the Secretary shall require public housing agencies to submit accounting data for funds disbursed under this heading in this Act and prior Acts by source and purpose of such funds: Provided further, That incremental vouchers previously made available under this heading for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover: Provided further, That $1,600,000,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading or the heading ''Annual contributions for assisted housing'' or any other heading for fiscal year 2002 and prior years, to be effected by the Secretary no later than September 30, 2003: Provided further, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission: Provided further, That any obligated balances of contract authority from fiscal year 1974 and prior that have been terminated shall be cancelled.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,730,000,000 (the ''Act''), to remain available until September 30, 2006: Provided, That of the total amount provided under this heading, in addition to amounts otherwise allocated under this heading, $447,000,000 shall be allocated for such capital and management activities only among public housing agencies that have obligated all assistance for the agency for fiscal years 1998, 1999, 2000, and 2001 made available under this same heading in accordance with the requirements under paragraphs (1) and (2) of section 9(j) of such Act: Provided further, That notwithstanding any other provision of law or regulation, during fiscal year 2003, the Secretary may not delegate to any Department official other than the Deputy Secretary any authority under paragraph (2) of such section 9(j) regarding the extension of the time periods under such section for obligation of amounts made available for fiscal year 1998, 1999, 2000, 2001, 2002, or 2003: Provided further, That with respect to any amounts made available under the Ppublic Housing Capital Fund for fiscal year 1999, 2000, 2001, 2002, or 2003 that remain unobligated in violation of paragraph (1) of such section 9(j) or unexpended in violation of paragraph (5)(A) of such section 9(j), the Secretary shall recapture any such amounts and reallocate such amounts among public housing agencies determined under 6(j) of the Act to be high-performing: Provided further, That for purposes of this heading, the term ''obligate'' means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays immediately or in the future: Provided further, That the Secretary shall issue final regulations to carry out section 9(j) of the United States Housing Act of 1937 (42 U.S.C. 1437g(j)), not later than August 1, 2003: Provided further, That of the total amount provided under this heading, up to $51,000,000 shall be for carrying out activities under section 9(h) of such Act, of which up to $11,000,000 shall be for the provision of remediation 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 $500,000 shall be for lease adjustments to section 23 projects, and no less than $18,600,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under ''Public and Indian housing'': 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, up to $50,000,000 shall be available for the Secretary of Housing and Urban Development to make grants to public housing agencies for emergency capital needs resulting from emergencies and natural disasters in fiscal year 2003: Provided further, That of the total amount provided under this heading, $15,000,000 shall be for Neighborhood Networks grants for activities authorized in section 9(d)(1)(E) of the United States Housing Act of 1937, as amended: Provided further, That notwithstanding any other provision of law, amounts made available in the previous proviso shall be awarded to public housing agencies on a competitive basis as provided in section 102 of the Department of Housing and Urban Development Reform Act of 1989: Provided further, That of the total amount provided under this heading, $55,000,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996.

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $3,600,000,000: Provided, That of the total amount provided under this heading, $10,000,000 shall be for programs, as determined appropriate by the Attorney General, which assist in the investigation, prosecution, and prevention of violent crimes and drug offenses in public and federally-assisted low-income housing, including Indian housing, which shall be administered by the Department of Justice through a reimbursable agreement with the Department of Housing and Urban Development: Provided further, That up to $250,000,000 shall be made available for payments to public housing agencies that are eligible for additional funds for fiscal year 2002 payments 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 may be provided for fiscal year 2003 payments to public housing agencies for the operation and management of public housing: 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.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, $574,000,000, to remain available until September 30, 2004, of which the Secretary may use up to $6,250,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: Provided, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein: Provided further, That of the total amount provided under this heading, $5,000,000 shall be for a Neighborhood Networks initiative for activities authorized in section 24(d)(1)(G) of the United States Housing Act of 1937, as amended: Provided further, That notwithstanding any other provision of law, amounts made available in the previous proviso shall be awarded to public housing agencies on a competitive basis as provided in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $649,000,000, to remain available until expended, of which $2,200,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; of which $4,000,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of Indian housing and tenant-based assistance, including up to $300,000 for related travel; and of which no less than $600,000 shall be transferred to the Working Capital Fund for development of and modifications to information technology systems which serve programs or activities under ''Public and Indian housing'': Provided, That of the amount provided under this heading, $2,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: Provided further, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $16,658,000: Provided further, That for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $5,300,000, to remain available until expended, of which $100,000 shall be for necessary expenses of the Land Title Report Commission pursuant to section 501(a) of Public Law 106–569: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $197,243,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING 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–13b), $1,035,000, to remain available until expended: Provided, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $39,712,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH 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 shall renew all expiring contracts for permanent supportive housing that were funded under section 854(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 technical 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 expended, which amount shall be awarded by June 1, 2003, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas: Provided, That all grants shall be awarded on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

For grants in connection with a second round of empowerment zones and enterprise communities, $30,000,000, to remain available until September 30, 2005, for ''Urban Empowerment Zones'', as authorized in section 1391(g) of the Internal Revenue Code of 1986 (26 U.S.C. 1391(g)), including $2,000,000 for each empowerment zone for use in conjunction with economic development activities consistent with the strategic plan of each empowerment zone.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,937,000,000, to remain available until September 30, 2005: Provided, That of the amount provided, $4,367,930,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301 et seq.): Provided further, That not to exceed 20 percent of any grant made with funds appropriated under this heading (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Act) shall be expended for ''Planning and Management Development'' and ''Administration'', as defined in regulations promulgated by the Department: Provided further, That $71,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act; $3,300,000 shall be for a grant to the Housing Assistance Council; $2,400,000 shall be for a grant to the National American Indian Housing Council; $5,000,000 shall be available as a grant to the National Housing Development Corporation, for operating expenses not to exceed $2,000,000 and for a program of affordable housing acquisition and rehabilitation; $5,000,000 shall be available as a grant to the National Council of La Raza for the HOPE Fund, of which $500,000 is for technical assistance and fund management, and $4,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; $49,100,000 shall be for grants pursuant to section 107 of the Act; $9,000,000 shall be made available to the Neighborhood House, St. Paul, Minnesota for construction costs of the Paul and Sheila Wellstone Center for Community Building; no less than $3,400,000 shall be transferred to the Working Capital Fund for the development of and modification to information technology systems which serve programs or activities under ''Community planning and development''; $25,250,000 shall be for grants pursuant to the Self Help Homeownership Opportunity Program; $32,500,000 shall be for capacity building, of which $28,250,000 shall be for Capacity Building for Community Development and Affordable Housing for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, with not less than $5,000,000 of the funding to be used in rural areas, including tribal areas, and of which $4,250,000 shall be for capacity building activities administered by Habitat for Humanity International; $60,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: Provided, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: Provided further, That no more than 10 percent of any grant award under the YouthBuild program may be used for administrative costs: Provided further, That of the amount made available for YouthBuild not less than $10,000,000 is for grants to establish YouthBuild programs in underserved and rural areas and $2,000,000 is to be made available for a grant to YouthBuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $42,120,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to

determine whether housing benefits can be integrated more effectively with welfare reform initiatives: Provided, That these grants shall be provided in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act.

Of the amount made available under this heading, $261,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act.

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to the amount made available to the City of Rome, New York, by striking ''related to the South Rome Industrial Park'' and inserting ''and building renovations at the Rome business and tech park''.

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to a grant made available to the Community Medical Centers of Fresno, California by striking all after ''$300,000'' and inserting ''to the City of Fresno, California for rehabilitation of the Fresno Community Regional Medical Center neighborhood.''.

The referenced statement of the managers under this heading in Public Law 106–377 and 107–73 is deemed to be amended with respect to grants made to the City of Mt. Clemens, Michigan by striking ''City of Mt. Clemens, Michigan'' and inserting ''Mt. Clemens Community Schools in Mt. Clemens, Michigan''.

The referenced statement of the managers under the heading ''Community development block grants'' in title II of Public Law 105–277 is deemed to be amended by striking ''$750,000 to the Maryland State Department of Housing and Community Development for relocation of residents of Wagners Point community in Baltimore, Maryland'' and insert in lieu thereof ''$750,000 to the Maryland State Department of Housing and Community Development for relocation of residents of Wagners Point community in Baltimore, Maryland ($514,000) and for recovery efforts that occurred on or after the April 28, 2002 tornado in Charles and Calvert Counties ($236,000)''.

The referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended with respect to a grant made to the Metropolitan Development Association in Syracuse, New York by adding after the words ''Genesee Street Armory study'' the words ''and other development projects undertaken by the Association within the City of Syracuse''.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, $6,325,000, 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 cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

In addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for ''Salaries and expenses''.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $25,000,000, to remain available until September 30, 2004: Provided, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,925,000,000, to remain available until September 30, 2005: Provided, That of the total amount provided in this paragraph, up to $40,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968; and no less than $1,100,000 shall be transferred to the Working Capital Fund for the development of, maintenance of, and modification to information technology systems which serve programs or activities under ''Community planning and development''.

In addition to amounts otherwise made available under this heading, $75,000,000, to remain available until September 30, 2005, for assistance to homebuyers as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended: Provided, That the Secretary shall provide such assistance in accordance with a formula to be established by the Secretary that considers a participating jurisdiction's need for, and prior commitment to, assistance to homebuyers.

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 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,225,000,000, to remain available until September 30, 2005: Provided, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: Provided further, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: Provided further, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: Provided further, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: Provided further, That $11,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project: Provided further, That $6,600,000 of the funds appropriated under this heading shall be available for technical assistance: Provided further, That no less than $1,500,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve activities under ''Community planning and development'': Provided further, That of the total amount provided under this heading, $10,000,000 shall be made available for a two-year grant demonstration program to be conducted in consultation with the Interagency Council on the Homeless.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, $1,033,801,000, to remain available until September 30, 2006: Provided, That $783,286,000, plus recaptures or cancelled commitments, shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(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, and for supportive services associated with the housing, of which amount $50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to $25,000,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use: Provided further, That of the amount under this heading, $250,515,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing 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, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act: Provided further, That of the amount made available under this heading, $25,000,000 shall be available to the Secretary of Housing and Urban Development only for making grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): Provided further, That amounts made available in the previous proviso shall be awarded on a competitive basis as provided in section 102 of the Department of Housing and Urban Development Reform Act of 1989: Provided further, That the Secretary shall provide a report to the Committees on Appropriations of the House and Senate not later than July 15, 2003, in accordance with the direction included in the joint explanatory statement of the managers accompanying this Act: Provided further, That no less than $500,000, to be divided evenly between the appropriations for the section 202 and section 811 programs, shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve activities under ''Housing programs'' or ''Federal housing administration'': Provided further, That, in addition to amounts made available for renewal of tenant-based rental assistance contracts pursuant to the second proviso of this paragraph, the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811

of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is 5 years in duration: Provided further, That the Secretary may waive the provisions governing the terms and conditions of project rental assistance and tenant-based rental assistance for such section 202 and such section 811, except that the initial contract term for such assistance shall not exceed 5 years in duration: Provided further, That all balances and recaptures, as of October 1, 2002, remaining in the ''Congregate housing services'' account as authorized by the Housing and 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 made during fiscal year 2003, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Up to $100,000,000 of recaptured section 236 budget authority resulting from prepayment of mortgages subsidized under section 236 of the National Housing Act (12 U.S.C. 1715z–1) shall be rescinded in fiscal year 2003: Provided, That the limitation otherwise applicable to the maximum payments that may be required in any fiscal year by all contracts entered into under section 236 is reduced in fiscal year 2003 by not more than $100,000,000 in uncommitted balances of authorizations of contract authority provided for this purpose in appropriations Acts.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), $13,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: Provided, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: Provided further, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2003 so as to result in a final fiscal year 2003 appropriation from the general fund estimated at not more than $0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2003 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2003, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $165,000,000,000.

During fiscal year 2003, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $100,000,000: Provided, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $347,829,000, of which not to exceed $343,807,000 shall be transferred to the appropriation 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 contract expenses, $85,720,000, of which no less than $21,360,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve programs or activities under ''Housing programs'' or ''Federal housing administration'': Provided, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2003, an additional $1,400 for administrative contract expenses shall be available 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 proviso exceed $16,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $15,000,000, 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 $23,000,000,000.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(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, $223,716,000, of which $204,395,000, shall be transferred to the appropriation for ''Salaries and expenses''; and of which $19,321,000 shall be transferred to the appropriation for ''Office of Inspector General''.

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $93,780,000, of which no less than $14,240,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems which serve activities under ''Housing programs'' or ''Federal housing administration'': 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 shall be available 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 by this proviso exceed $14,400,000.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000, to remain available until September 30, 2004.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,343,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,343,000, shall be transferred to the appropriation for ''Salaries and expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $47,000,000, to remain available until September 30, 2004: Provided, That of the total amount provided under this heading, $7,500,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $45,899,000, to remain available until September 30, 2004, of which $20,250,000 shall be to carry out activities pursuant to such section 561: Provided, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $176,000,000, to remain available until September 30, 2004, of which $10,000,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: Provided, That of the total amount made available under this heading, $50,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs, as identified by the Secretary as having: (1) the highest number of pre-1940 units of rental housing; and (2) a disproportionately high number of documented cases of lead-poisoned children: Provided further, That each grantee receiving funds under the previous proviso shall target those privately owned units and multifamily buildings that are occupied by low-income families as defined under section 3(b)(2) of the United States Housing Act of 1937: Provided further, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: Provided further, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: Provided further, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary of the Department of Housing and Urban Development to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,090,229,000, of which $20,000,000 shall remain available until September 30, 2004, for funds control improvements; and of which $548,202,000 shall be provided from

the various funds of the Federal Housing Administration, $10,343,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the ''Community development loan guarantees program'' account, $150,000 shall be provided by transfer from the ''Native American housing block grants'' account, $200,000 shall be provided by transfer from the ''Indian housing loan guarantee fund program'' account and $35,000 shall be transferred from the ''Native Hawaiian housing loan guarantee fund'' account: Provided, That funds made available under this heading shall only be allocated in the manner specified in the report accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: Provided further, That no less than $10,500,000 shall be transferred to the Working Capital Fund for the development of and modifications to information technology systems: Provided further, That of the total amount made available under this heading, not less than $21,000,000 is to be made available to the Chief Financial Officer exclusively for activities to implement appropriate funds control systems, including improvements in automated financial management systems, additional training of departmental employees in proper fund control procedures, and establishment of a division of appropriations law within the Office of the Chief Financial Officer: Provided further, That the Chief Financial Officer shall submit a revised departmental funds control handbook to the Committees on Appropriations of the House and Senate no later than 30 days after enactment of this Act: Provided further, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: Provided further, That the Secretary shall, within 30 days of enactment of this Act, permanently transfer no fewer than four appropriations law attorneys from the Legislative Division of the Office of Legislation and Regulations, Office of General Counsel to the OCFO: Provided further, That personnel transferred pursuant to the previous proviso shall report directly to the Chief Financial Officer: Provided further, That, notwithstanding any other provision of law, hereafter, the Chief Financial Officer of the Department of Housing and Urban Development shall, in consultation with the Budget Officer, have sole authority to investigate potential or actual violations under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.) and all other statutes and regulations related to the obligation and expenditure of funds made available in this, or any other Act; shall determine whether violations exist; and shall submit final reports on violations to the Secretary, the President, the Office of Management and Budget and the Congress in accordance with applicable statutes and Office of Management and Budget circulars: Provided further, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: Provided further, That for the purpose of determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract: Provided further, That the Chief Financial Officer shall: (a) appoint qualified personnel to conduct investigations of potential or actual violations; (b) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (c) establish guidelines and timeframes for the conduct and completion of investigations; (d) prescribe the content, format and other requirements for the submission of final reports on violations; and (e) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: Provided further, That the Secretary shall fill 7 out of 10 vacancies at the GS–14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent: Provided further, That the Secretary shall submit a staffing plan for the Department by March 15, 2003.

WORKING CAPITAL FUND

For additional capital for the Working Capitol Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, and for the continuing operation of both Department-wide and program-specific information systems, $276,300,000, to remain available until September 30, 2004: Provided, That any amounts transferred to this Fund under this Act shall remain available until expended: Provided further, That none of the funds made available to the Department in this Act, or any other Act, may be used to award a new contract for the HUD Information Technology Services (HITS) project until 90 days after the Department has submitted to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive five-year information technology plan in accordance with the direction included in the report accompanying this Act.

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, $97,499,000, 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 this 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.

CONSOLIDATED FEE FUND

(RESCISSION)

Of the balances remaining available from fees and charges under section 7(j) 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 Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception 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 incur obligations and make expenditures pending 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 $0.

ADMINISTRATIVE PROVISIONS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the 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 section. 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 to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2003 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a non-frivolous legal 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 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2003 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2003 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2003 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2003, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

SEC. 204. (a) Section 225(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, Public Law 106–74 (113 Stat. 1076), is amended by striking ''year 2000, and the amounts that would otherwise be allocated for fiscal year 2001 and fiscal year 2002'', and inserting ''years 2000, 2001, 2002, and 2003''.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2003 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Durham-Chapel Hill, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

SEC. 205. (a) During fiscal year 2003, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan specified in subsection (b) of this section, notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the

time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

(b) The counties specified in this subsection are Oakland County, Macomb County, Wayne County, and Washtenaw County, in the State of Michigan.

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 1989.

SEC. 207. 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 before the 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 any appropriations Act for these units to the Secretary of Housing and Urban Development for reallocation to public housing agencies: Provided, That, if either State fails to make such reimbursement within 12 months, the Secretary shall recapture such funds through reductions from the amounts allocated to each State under section 106 of the Housing and Community Development Act of 1974.

SEC. 208. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 209. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 210. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2003 for such corporation or agency except as hereinafter provided: Provided, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 211. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the Budget Justifications. For fiscal year 2003, HUD shall transmit this information to the Committees by March 15, 2003 for 30 days of review.

SEC. 212. (a) Section 9(n)(1) of the United States Housing Act of 1937 is hereby repealed.

(b) Section 226 of the Departments of Veterans Affairs and Housing and Urban development, and Independent Agencies Appropriations Act, 1999, is hereby repealed.

(c) The amendment made by subsection (a) shall be deemed to have taken effect on October 1, 1998.

(d) The amendment made by subsection (b) shall be deemed to have taken effect on October 21, 1998.

SEC. 213. Notwithstanding any other provision of law, in fiscal year 2003, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 214. A public housing agency or such other entity that administers Federal housing assistance in the states of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the states of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 215. (a) Section 24(m)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended by striking ''$600,000,000'' and all that follows through ''2002'' 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 ''September 30, 2002'' and inserting ''September 30, 2004''.

SEC. 216. The Secretary 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 within the jurisdiction of the Department and shall submit additional, updated budget information to these committees upon request.

SEC. 217. 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.

SEC. 218. Notwithstanding the requirements regarding first-time homebuyers in section 104 of the National Affordable Housing Act of 1990 (42 U.S.C. 12704), the Enterprise Housing Corporation of Maryland may use the remaining balance of the grant award, H3–95MD0005–I–N, within the East Baltimore Community of the City of Baltimore, Maryland.

SEC. 219. In applying the across-the-board rescission under section 601 of division N to amounts made available under the heading ''Housing certificate fund'', the Secretary shall have discretion in applying such rescission among the programs, projects, or activities within the account notwithstanding section 601(b).

TITLE III—INDEPENDENT AGENCIES

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 in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign 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, $35,246,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefore, as authorized by 5 U.S.C. §5901–5902, and for services authorized by 5 U.S.C. §3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. §5376, $7,850,000, of which $1,400,000 shall be derived from unobligated balances: Provided, That of the amounts appropriated, $500,000 is available until September 30, 2004: Provided further, That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $75,000,000, to remain available until September 30, 2004, of which $5,000,000 shall be for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers, and up to $10,750,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $57,000,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $429,000,000, to remain available until September 30, 2004: Provided, That the Corporation shall enroll no more than 50,000 AmeriCorps members in the National Service Trust: Provided further, That not more than $32,500,000 shall be available for administrative expenses authorized under section 501(a)(4): Provided further, That not more than $2,500 shall be for official reception and representation expenses: Provided further, That not more than $275,000,000 of the amount provided under this heading shall be available for grants under the National Service Trust program authorized under subtitle C of title I of the Act (42 U.S.C. 12571 et seq.) (relating to activities including the AmeriCorps program), of which $100,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601), and of which up to $5,000,000 shall be available to support national service scholarships for high school students performing community service: Provided further, That of the amount provided under this heading for grants under the National Service Trust program authorized under subtitle C of title I of the Act, not more than $50,000,000 may be used to administer, reimburse, or support any national service program authorized under section 121(d)(2) of such Act (42 U.S.C. 12581(d)(2)): Provided further, That to the maximum extent feasible, funds appropriated under subtitle C of title I of the Act shall be provided in a manner that is consistent with the recommendations of peer review panels in order to ensure that priority is given to programs that demonstrate quality, innovation, replicability, and sustainability: Provided further, That not more than $10,000,000 of the funds made available under this heading shall be made available for the Points of Light Foundation for activities authorized under title III of the Act (42 U.S.C. 12661 et seq.), of which not more than $2,500,000 may be used to support an endowment fund, the corpus of which shall remain intact and the interest income from which shall be used to support activities described in title III of the Act, provided that the Foundation may invest the corpus and income in federally insured bank savings accounts or comparable interest bearing accounts, certificates of deposit, money market funds, mutual funds, obligations of the United States, and other market instruments and securities but not in real estate investments: Provided further, That no funds shall be available for national service programs run by Federal agencies authorized under section 121(b) of such Act (42 U.S.C. 12571(b)): Provided further, That to the maximum extent practicable, the Corporation shall increase significantly the level of matching funds and in-kind contributions provided by the private sector, and shall reduce the total Federal costs per participant in all programs: Provided further, That not more than $25,000,000 of the funds made available under this heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the Act (42 U.S.C. 12611 et seq.): Provided further, That not more than $43,000,000 shall be available for school-based and community-based service-learning programs authorized under subtitle B of title I of the Act (42 U.S.C. 12521 et seq.): Provided further, That not more than $35,500,000 shall be available for quality and innovation activities authorized under subtitle H of title I of the Act (42 U.S.C. 12853 et seq.), of which $6,000,000 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 $3,000,000 shall be available for audits and other evaluations authorized under section 179 of the Act (42 U.S.C. 12639): Provided further, That of the unobligated balances remaining from funds appropriated under this heading during fiscal year 2002 and prior years, $48,000,000 are rescinded.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $6,000,000, to remain available until September 30, 2004.

ADMINISTRATIVE PROVISIONS

Notwithstanding any other 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 148(b)(7) of the National and Community Service Act.

Notwithstanding any other provision of law, funds made available under section 129(d)(5)(B) of the National and Community Service Act to assist entities in placing applicants who are individuals with disabilities may be provided to any 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 Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $14,326,000 of which $1,045,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $32,445,000, to remain available until expended.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $84,074,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $82,800,000, to be derived from the Hazardous Substance Superfund Trust Fund pursuant to section 517(a) of SARA (26 U.S.C. 9507): Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2003, and existing profiles may be updated as necessary.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $720,261,000, which shall remain available until September 30, 2004: Provided, That the Office of Research and Development of the Environmental Protection Agency may hereafter contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members

lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $19,000 for official reception and representation expenses, $2,111,604,000, which shall remain available until September 30, 2004, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002: Provided, That notwithstanding any other provision of law, the Administrator of the Environmental Protection Agency shall certify grant amendments for grant numbers C–340461–02 and C–340461–03.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $36,000,000, to remain available until September 30, 2004.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $42,918,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; $1,272,888,000, to remain available until expended, consisting of $636,444,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $636,444,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $12,742,000 shall be transferred to the ''Office of Inspector General'' appropriation to remain available until September 30, 2004, and $86,168,000 shall be transferred to the ''Science and technology'' appropriation to remain available until September 30, 2004.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $72,313,000, 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, $15,581,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,859,994,000, to remain available until expended, of which $1,350,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the ''Act''), of which up to $75,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; $850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations Acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $43,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $3,000,000 shall be for remediation of above ground leaking fuel tanks pursuant to Public Law 106–554; $314,887,000 shall be for making grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act; $8,225,000 for grants for construction of alternative decentralized wastewater facilities under the National Decentralized Wastewater Demonstration program, in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act; $90,500,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; and $1,150,382,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multimedia or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $50,000,000 shall be for carrying out section 128 of CERCLA, as amended, and $19,999,900 shall be for Environmental Information Exchange Network grants, including associated program support costs: Provided, That for fiscal year 2003, State authority under section 302(a) of Public Law 104–182 shall remain in effect: Provided further, That notwithstanding section 603(d)(7) of the Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2003 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2003, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2003, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of such Act: Provided further, That no funds provided by this legislation to address the water, wastewater 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 or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, 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: Provided further, That the referenced statements of the managers under this heading in Public Laws 105–276, 106–74, and 106–377 are deemed to be amended by striking everything after ''Creek'' in reference to item numbers 27, 38, and 59, respectively, and inserting, ''and the Upper Ocmulgee River Watersheds, Georgia'': Provided further, That the referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended by adding the words ''water and'' before the word ''wastewater'' in reference to item number 205: Provided further, That the referenced statement of the managers under this heading in Public Law 106–74 is deemed to be amended by striking everything after ''improvement'' in reference to item number 137 and inserting, ''and extensions to the Indian Ridge Industrial Park;'': Provided further, That the referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended by striking everything after ''wastewater'' in reference to item number 103 and inserting, ''and drinking water infrastructure improvements;'': Provided further, That the referenced statement of the managers under this heading in Public Law 107–73 is deemed to be amended by striking everything after ''for'' in reference to item number 283 and inserting, ''the Mount Pleasant Waterworks Commission, South Carolina, for the Snowden Community Wastewater Collection Project;'': Provided further, That the referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended in reference to item number 216 by inserting before the period, '', and, after February 1, 2003, any remaining unobligated funds to the City of Wendover, Utah for water and wastewater infrastructure improvements''.

ADMINISTRATIVE PROVISIONS

For fiscal year 2003, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

None of the funds appropriated or otherwise made available by this Act shall be used to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Fed. Reg. 31040, or any similar proposals. The Environmental Protection Agency may proceed with the development of such a rule.

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 FIFRA section 4(i)(5) is extended for at least 1 year beyond September 30, 2002.

Section 136a–1 of title 7, U.S.C. is amended—

(1) in subsection (i)(5)(C)(i) by striking ''$17,000,000 fiscal year 2002'' and inserting ''$21,500,000 for fiscal year 2003'';

(2) in subsection (i)(5)(H) by striking ''2002'' and inserting ''2003'';

(3) in subsection (i)(6) by striking ''2002'' and inserting ''2003''; and

(4) in subsection (k)(3)(A) by striking ''2002'' and inserting ''2003''.

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 67 Fed. Reg. 80186 (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.

The National Academy of Sciences shall submit an interim report to Congress no later than March 3, 2004, and shall submit a final report on implementation of the rules.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,368,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,031,000: Provided, That, notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $30,848,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $800,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed $2,900,000 may be transferred to ''Emergency management planning and assistance'' for the consolidated emergency management performance grant program; and not to exceed $21,577,000 may be transferred to the Office of Inspector General for audits and investigations: Provided, That notwithstanding any other provision of law, for disaster declaration FEMA–1379–DR and hereafter, the Texas Medical Center is to be considered for FEMA Public Assistance and Hazard Mitigation grants as if it were an eligible applicant: Provided further, That the funds made available under this heading in Public Law 105–276 for a pilot project of seismic retrofit technology at California State University, San Bernardino, are reduced to $3,559,500, the funds made available under this heading in Public Law 106–74 for a pilot project of seismic retrofit technology at California State University, San Bernardino, are reduced to $0, and that the funds made available as a result of this action shall be used to mitigate fire danger in the area of the San Bernardino National Forest due to bark beetle infestation.

NATIONAL PRE-DISASTER MITIGATION FUND

For a pre-disaster mitigation grant program pursuant to 42 U.S.C. 5131 et seq., $150,000,000, to remain available until expended: Provided, That grants shall be awarded on a competitive basis subject to the criteria in 42 U.S.C. 5133(g): Provided further, That notwithstanding 42 U.S.C. 5133(f), grant awards shall be made without reference to State allocations, quotas, or other formula-based allocations of funds.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $557,000 as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000.

In addition, for administrative expenses to carry out the direct loan program, $557,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $245,690,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $14,000,000: 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.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $388,299.000: Provided, That of the amount provided under this heading: $25,000,000 shall be for grants for interoperable communications equipment; $25,000,000 shall be for grants for emergency operations centers; $60,000,000 shall be for existing Urban Search and Rescue Teams; $165,000,000 shall be for emergency management performance grants; $20,000,000 shall be for Community Emergency Response Teams.

FIREFIGHTER ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), $750,000,000 to remain available through September 30, 2004: Provided, That up to 5 percent of this amount shall be transferred to ''Salaries and expenses'' for program administration.

RADIOLOGICAL EMERGENCY PREPAREDNESS FUND

The aggregate charges assessed during fiscal year 2003, as authorized by Public Law 106–377, shall not be less than 100 percent of the amounts anticipated by FEMA necessary for its radiological emergency preparedness program for the next fiscal year. The methodology for assessment and collection of fees shall be fair and equitable; and shall reflect costs of providing such services, including administrative costs of collecting such fees. Fees received pursuant to this section shall be deposited in the Fund as offsetting collections and will become available for authorized purposes on October 1, 2003, and remain available until expended.

CERRO GRANDE FIRE CLAIMS

For an additional amount for ''Cerro Grande Fire Claims'', up to $90,000,000 shall be made available for claims resulting from the Cerro Grande fires: Provided, That up to $5,000,000 may be made available for administrative purposes.

EMERGENCY FOOD AND SHELTER PROGRAM

To carry out an emergency food and shelter program pursuant to title III of Public Law 100–77, as amended, $153,000,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3½ percent of the total appropriation.

FLOOD MAP MODERNIZATION FUND

For necessary expenses pursuant to section 1360 of the National Flood Insurance Act of 1968, $150,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (''Act'') and the Flood Disaster Protection Act of 1973, as amended, not to exceed $32,393,000 for salaries and expenses associated with flood mitigation and flood insurance operations, and not to exceed $77,666,000 for flood mitigation, to remain available until September 30, 2004, including up to $20,000,000 for expenses under section 1366 of the Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2004, and which amounts shall be derived from offsetting collections assessed and collected pursuant to 42 U.S.C. 4014, and shall be retained and used for necessary expenses under this heading: Provided, That beginning in fiscal year 2003 and thereafter, fees authorized in 42 U.S.C. 4014(a)(1)(B)(iii) shall be collected only if provided in advance in appropriations acts. In fiscal year 2003, no funds in excess of: (1) $55,000,000 for operating expenses; (2) $529,380,000 for agents' commissions and taxes; and (3) $40,000,000 for interest on Treasury borrowings shall be available from the National

Flood Insurance Fund without prior notice to the Committees on Appropriations.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding sections 1366(b)(3)(B)–(C) and 1366(f) of the National Flood Insurance Act of 1968, as amended, $20,000,000, to remain available until September 30, 2004, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $20,000,000 shall be derived from the National Flood Insurance Fund.

ADMINISTRATIVE PROVISIONS

Nothwithstanding any other provision of law, funds appropriated to the Federal Emergency Management Agency (FEMA) for disaster relief for the terrorist attacks of September 11, 2001, in Public Law 107–117, may be used to provide funds to the City of New York and the State of New York for costs associated with such attacks that are unreimbursable under the Stafford Act, including but not limited to the non-federal share of relevant programs: Provided, That of the amounts made available, $90,000,000 shall be available upon enactment of this Act to administer baseline and follow-up 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.

Notwithstanding any other provision of law, including sections 403 and 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (43 U.S.C. 5170b and 42 U.S.C. 5173), the Federal Emergency Management Agency is directed to provide, from funds appropriated to the Federal Emergency Management Agency for disaster relief for the terrorist attacks of September 11, 2001, in Public Law 107–117, up to $1,000,000,000 to establish a captive insurance company or other appropriate insurance mechanism for claims arising from debris removal, which may include claims made by city employees.

FEMA is hereby directed to recognize that a hospital building has met the ''immediate occupancy'' requirements of the Seismic Hazard Mitigation Program for Hospitals (SHMPH) if such building is approved by California's Office of Statewide Health Planning and Development (OSHPD) for occupancy until 2030 or beyond under the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983 now in effect.

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $11,541,000, to be deposited into the Federal Citizen Information Center Fund: Provided, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen 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 and shall not be available for expenditure except as authorized in appropriations Acts.

INTERAGENCY COUNCIL ON THE HOMELESS

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire 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, $1,500,000.

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 restoration, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including 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 reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,180,900,000, 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; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Science, aeronautics and technology'' in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

SCIENCE, AERONAUTICS AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and technology 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 restoration, and acquisition or condemnation of real property, as authorized by law; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including 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 reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $9,207,665,000, 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; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Human space flight'' in accordance with section 312(b) 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, $25,600,000.

ADMINISTRATIVE PROVISIONS

Notwithstanding any other provision of this Act, the $3,836,000,000 provided for the Shuttle program shall be exempt from the across-the-board rescission under section 601 in division N.

Notwithstanding the limitation on the availability of funds appropriated for ''Human space flight'', or ''Science, aeronautics and technology'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities as authorized by law, such amount available for such activity shall remain available until 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 September 30, 2005.

Notwithstanding the limitation on the availability of funds appropriated for ''Office of Inspector General'', amounts made available by this Act for personnel and related costs and travel expenses of the National Aeronautics and Space Administration shall remain available until September 30, 2003 and may be used to enter into contracts for training, investigations, costs associated with personnel relocation, and for other services, to be provided during the next fiscal year. Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

NASA is authorized to proceed with establishment of a Non-Governmental Organization for International Space Station research: Provided, That no funds in this Act or any other appropriations Act may be expended for establishment of a Non-Governmental Organization that includes engineering and integration functions identified as Phase 2 in the Report of NASA's International Space Station Utilization Management Concept Development Study submitted on January 10, 2003.

There is hereby established in the United States Treasury a National Aeronautics and Space Administration working capital fund. Amounts in the fund are available for financing activities, services, equipment, information, and facilities as authorized by law to be provided within the Administration; to other agencies or instrumentalities of the United States; to any State, Territory, or possession or political subdivision thereof; to other public or private agencies; or to any person, firm, association, corporation, or educational institution on a reimbursable basis. The fund shall also be available for the purpose of funding capital repairs, renovations, rehabilitation, sustainment, demolition, or replacement of NASA real property, on a reimbursable basis within the Administration. Amounts in the fund are available without regard to fiscal year limitation. The capital of the fund consists of amounts appropriated to the fund; the reasonable value of stocks of supplies, equipment, and other assets and inventories on order that the Administrator transfers to the fund, less the related liabilities and unpaid obligations; and payments received for loss or damage to property of the fund. The fund shall be reimbursed, in advance, for supplies and services at rates that will approximate the expenses of operation, such as the accrual of annual leave, depreciation of plant, property and equipment, and overhead.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2003, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 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 $309,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,000,000 shall be available: Provided, That of this amount $700,000, together with amounts of principal and interest on loans repaid, is available until expended for loans to

community development credit unions, and $300,000 is available until September 30, 2004 for technical assistance to low-income and community development credit unions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $4,083,000,000, of which not to exceed $320,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to remain available until September 30, 2004: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities 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 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: Provided further, That $85,000,000 of the funds available under this heading shall be made available for a comprehensive research initiative on plant genomes for economically significant crops.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $149,510,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses 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), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $909,080,000, 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.

SALARIES AND EXPENSES

For salaries and expenses necessary 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 reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $190,352,000: Provided, That contracts may be entered into under ''Salaries and expenses'' in fiscal year 2003 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire 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) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $3,500,000: Provided, That not more than $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $9,250,000, to remain available until September 30, 2004.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $105,000,000, of which $5,000,000 shall be for a homeownership program that is used in conjunction with section 8 assistance under the United States Housing Act of 1937, as amended; and of which $5,000,000 shall be for a multi-family rental housing program.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $26,480,000: Provided, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: Provided further, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

TITLE IV—GENERAL PROVISIONS

SEC. 401. 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. 402. No funds appropriated by this Act may be expended—

(1) pursuant to a certification of an officer or employee of the United States unless—

(A) such certification is accompanied by, or is part of, a voucher or abstract which describes the payee or payees and the items or services for which such expenditure is being made; or

(B) the expenditure of funds pursuant to such certification, and without such 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 from such audit.

SEC. 403. 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 such transportation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2) to provide a cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 404. 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. 405. None of the funds provided in this Act may be used, directly or through grants, to pay or to provide reimbursement for payment of the salary of a consultant (whether 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. 406. None of the funds provided in this Act may be used to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings. Nothing herein affects the authority of the Consumer Product Safety Commission pursuant to section 7 of the Consumer Product Safety Act (15 U.S.C. 2056 et seq.).

SEC. 407. 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 matter of public record and available 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 to the public 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. 408. Except as otherwise provided by law, no part of any appropriation contained in this Act shall be obligated or expended by any executive agency, as referred to in the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.), for a contract for services unless such executive agency: (1) has awarded and entered into such contract in full compliance with such Act and the regulations promulgated thereunder; and (2) requires any report prepared pursuant to such contract, including plans, evaluations, studies, analyses and manuals, and any report prepared by the agency which is substantially derived from or substantially includes any report prepared pursuant to such contract, to contain information concerning: (A) the contract pursuant to which the report was prepared; and (B) the contractor who prepared the report pursuant to such contract.

SEC. 409. (a) It is 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.

SEC. 410. None of the funds appropriated in this Act may be used to implement any cap on reimbursements to grantees for indirect costs, except as published in Office of Management and Budget Circular A–21.

SEC. 411. 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. 412. 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 program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 413. Except in the case of entities that are funded solely with Federal funds or any natural persons that are funded under this Act, none of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties 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 against the United States unless authorized under existing law.

SEC. 414. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 415. All Departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 416. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government that is established after the date of the enactment of this Act, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 417. Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by striking ''15 percent'' and inserting ''7.5 percent''.

SEC. 418. The National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2451, et seq.), is amended by adding at the end of title III a new section 315 as follows:

''ENHANCED-USE LEASE OF REAL PROPERTY DEMONSTRATION

''SEC. 315. (a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator may enter into a lease under this section with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any real property under the jurisdiction of the Administrator at no more than two (2) National Aeronautics and Space Administration (NASA) centers.

''(b) CONSIDERATION.—

''(1) A person or entity entering into a lease under this section shall provide consideration for the lease at fair market value as determined by the Administrator, except that in the case of a lease to another department or agency of the Federal Government, that department or agency shall provide consideration for the lease equal to the full costs to NASA in connection with the lease.

''(2) Consideration under this subsection may take one or a combination of the following forms:

''(A) the payment of cash.

''(B) the maintenance, construction, modification or improvement of facilities on real property under the jurisdiction of the Administrator.

''(C) the provision of services to NASA, including launch services and payload processing services; or

''(D) use by NASA of facilities on the property.

''(3)(A) The Administrator may utilize amounts of cash consideration received under this subsection for a lease entered into under this section to cover the full costs to NASA in connection with the lease. These funds shall remain available until expended.

''(B) Any amounts of cash consideration received under this subsection that are not utilized in accordance with subparagraph (A) shall be deposited in a capital asset account to be established by the Administrator, shall be available for maintenance, capital revitalization, and improvements of the real property assets of the centers selected for this demonstration program, and shall remain available until expended.

''(c) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such terms and conditions in connection with a lease under this section as the Administrator considers appropriate to protect the interests of the United States.

''(d) RELATIONSHIP TO OTHER LEASE AUTHORITY.—The authority under this section to lease property of NASA is in addition to any other authority to lease property of NASA under law.

''(e) LEASE RESTRICTIONS.—NASA is not authorized to lease back property under this section during the term of the out-lease or enter into other contracts with the lessee respecting the property.

''(f) PLAN AND REPORTING REQUIREMENTS.—At least 15 days prior to the Administrator entering into the first lease under this section, the Administrator shall submit a plan to the Congress on NASA's proposed implementation of this demonstration. The Administrator shall submit an annual report by January 31st of each year regarding the status of the demonstration.''.

SEC. 419. 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 non-Federal cost share.

SEC. 420. 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. 421. Subsection (b) of section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended by adding at the end the following new paragraph (12):

''(12) ELIGIBLE GRANTEE ON BEHALF OF ALASKA NATIVE VILLAGES.—The Alaska Village Initiatives, a non-profit organization incorporated in the State of Alaska, shall be considered an eligible grantee for purposes of receiving assistance under this section on behalf of Alaska Native villages.''.

SEC. 422. The Secretary 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 605 in Clarke County and Loudoun County, Virginia, adjacent to a Federal Emergency Management Agency facility in Clarke County and Loudoun County, Virginia.

SEC. 423. Section 1344(b) of title 31, United States Code, is amended by striking paragraph (6) and inserting in lieu thereof the following new paragraph (6):

''(6) the Director of the Central Intelligence Agency, the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, and the Administrator of the National Aeronautics and Space Administration;''.

This division may be cited as the ''Departments 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 carry out the responsibilities under section 302(4) through both extramural and intramural programs.

''(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 so as to—

''(A) ensure that colleges, universities, private research institutes, and companies (and consortia thereof) from as many areas of the United States as practicable participate;

''(B) ensure that the research funded is of high quality, as determined through merit review processes developed under section 302(14); and

''(C) distribute funds through grants, cooperative agreements, and contracts.

''(2) UNIVERSITY-BASED CENTERS FOR HOMELAND SECURITY.—

''(A) DESIGNATION.—The Secretary, acting through the Under Secretary for Science and Technology, shall designate a university-based center or several university-based centers for homeland security. The purpose of the center or these centers shall be to establish a coordinated, university-based system to enhance the Nation's homeland security.

''(B) CRITERIA FOR DESIGNATION.—Criteria for the designation of colleges or universities as a center for homeland security, shall include, but are not limited to, demonstrated expertise in—

''(i) The training of first responders.

''(ii) Responding to incidents involving weapons of mass destruction and biological warfare.

''(iii) Emergency and diagnostic medical services.

''(iv) Chemical, biological, radiological, and nuclear countermeasures or detection.

''(v) Animal and plant health and diagnostics.

''(vi) Food safety.

''(vii) Water and wastewater operations.

''(viii) Port and waterway security.

''(ix) Multi-modal transportation.

''(x) Information security and information engineering.

''(xi) Engineering.

''(xii) Educational outreach and technical assistance.

''(xiii) Border transportation and security.

''(xiv) The public policy implications and public dissemination of homeland security related research and development.

''(C) DISCRETION OF SECRETARY.—To the extent that exercising such discretion is in the interest of homeland security, and with respect to the designation of any given university-based center for homeland security, the Secretary may except certain criteria as specified in section 308(b)(2)(B) and consider additional criteria beyond those specified in section 308(b)(2)(B). Upon designation of a university-based center for homeland security, the Secretary shall that day publish in the Federal Register the criteria that were excepted or added in the selection process and the justification for the set of criteria that were used for that designation.

''(D) REPORT TO CONGRESS.—The Secretary shall report annually, from the date of enactment, to Congress concerning the implementation of this section. That report shall indicate which center or centers have been designated and how the designation or designations enhance homeland security, as well as report any decisions to revoke or modify such designations.

''(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this paragraph.

''(c) INTRAMURAL PROGRAMS.—

''(1) CONSULTATION.—In carrying out the duties under section 302, the Secretary, acting through the Under Secretary for Science and Technology, may draw upon the expertise of any laboratory of the Federal Government, whether operated by a contractor or the Government.''; and

(2) in subsection 835(d) by striking all after the word ''security'' and inserting in lieu thereof a period.

SEC. 102. NON-PREJUDICIAL REPEAL OF SECTIONS 1714 THROUGH 1717 OF THE HOMELAND SECURITY ACT OF 2002. (a) REPEAL.—In accordance with subsection (c), sections 1714 through 1717 of the Homeland Security Act of 2002 (Public Law 107–296) are repealed.

(b) APPLICATION OF THE PUBLIC HEALTH SERVICE ACT.—The Public Health Service Act (42

U.S.C. 201 et seq.) shall be applied and administered as if the sections repealed by subsection (a) had never been enacted.

(c) RULE OF CONSTRUCTION.—No inference shall be drawn from the enactment of sections 1714 through 1717 of the Homeland Security Act of 2002 (Public Law 107–296), or from this repeal, regarding the law prior to enactment of sections 1714 through 1717 of the Homeland Security Act of 2002 (Public Law 107–296). Further, no inference shall be drawn that subsection (a) or (b) affects any change in that prior law, or that Leroy v. Secretary of Health and Human Services, Office of Special Master, No. 02–392V (October 11, 2002), was incorrectly decided.

(d) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the Nation's ability to produce and develop new and effective vaccines faces significant challenges, and important steps are needed to revitalize our immunization efforts in order to ensure an adequate supply of vaccines and to encourage the development of new vaccines;

(2) these steps include ensuring that patients who have suffered vaccine-related injuries have the opportunity to seek fair and timely redress, and that vaccine manufacturers, manufacturers of components or ingredients of vaccines, and physicians and other administrators of vaccines have adequate protections;

(3) prompt action is particularly critical given that vaccines are a front line of defense against common childhood and adult diseases, as well as against current and future biological threats; and

(4) not later than 6 months after the date of enactment of this Act, the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives should report a bill addressing the issues described in paragraphs (1) through (3).

SEC. 103. GENERAL.—The Homeland Security Act of 2002 (Public Law 107–296) is amended—

(1) 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.'';

(2) in subsection 234(b), by striking the period at the end of the sentence and inserting: '': Provided, That any such transfer 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 2601 of title 10, United States Code, and by section 93 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 ''g'' in the word ''Gifts'' in the second place it appears;

(4) in subsection 1511(e)(2), after the word ''development'' and before the period, by inserting: '', and to any funds provided to the Coast Guard from the Aquatic Resources Trust Fund of the Highway Trust Fund for boating safety programs''; and

(5) at the end of the Act, by adding the following new section:

''SEC. 1714. 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 Congress or any Congressional committee shall also be submitted to, or held with, the Committees 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. INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY. (a) IN GENERAL.—Section 103(b) of the Homeland Security Act of 2002 (Public Law 107–296) is amended to read as follows:

''(b) INSPECTOR GENERAL.—There shall be in the Department an Office of Inspector General and an Inspector General at the head of such office, as provided in the Inspector General Act of 1978 (5 App. U.S.C.).''.

(b) SPECIAL PROVISIONS CONCERNING THE INSPECTOR GENERAL.—The Inspector General Act of 1978 (5 App. U.S.C.) is amended—

(1) by striking section 8J;

(2) by redesignating section 8I as section 8J; and

(3) by inserting after section 8H the following:

''SPECIAL PROVISIONS CONCERNING THE DEPARTMENT OF HOMELAND SECURITY

''SEC. 8I. (a)(1) Notwithstanding the last two sentences of section 3(a), the Inspector General of the Department of Homeland Security shall be under the authority, direction, and control of the Secretary of Homeland Security with respect to audits or investigations, or the issuance of subpoenas, that require access to sensitive information concerning—

''(A) intelligence, counterintelligence, or counterterrorism matters;

''(B) ongoing criminal investigations or proceedings;

''(C) undercover operations;

''(D) the identity of confidential sources, including protected witnesses;

''(E) other matters the disclosure of which would, in the Secretary's judgment, constitute a serious threat to the protection of any person or property authorized protection by section 3056 of title 18, United States Code, section 202 of title 3 of such Code, or any provision of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note); or

''(F) other matters the disclosure of which would constitute a serious threat to national security.

''(2) With respect to the information described in paragraph (1), the Secretary of Homeland Security may prohibit the Inspector General of the Department of Homeland Security from carrying out or completing any audit or investigation, or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation or to issue such subpoena, if the Secretary determines that such prohibition is necessary to prevent the disclosure of any information described in paragraph (1), to preserve the national security, or to prevent a significant impairment to the interests of the United States.

''(3) If the Secretary of Homeland Security exercises any power under paragraph (1) or (2), the Secretary shall notify the Inspector General of the Department of Homeland Security in writing within seven days stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit to the President of the Senate, the Speaker of the House of Representatives, and appropriate committees and subcommittees of Congress the following:

''(A) A copy of such notice.

''(B) A written response to such notice that includes a statement regarding whether the Inspector General agrees or disagrees with such exercise, and the reasons for any disagreement.

''(b) The exercise of authority by the Secretary described in paragraph (2) should not be construed as limiting the right of Congress or any committee of Congress to access any information it seeks.

''(c) Subject to the conditions established in subsections (a) and (b) above, in carrying out the duties and responsibilities specified in this Act, the Inspector General of the Department of Homeland Security may initiate, conduct, and supervise such audits and investigations in the Department of Homeland Security as the Inspector General considers appropriate.

''(d) Any report required to be transmitted by the Secretary of Homeland Security to the appropriate committees or subcommittees of Congress under section 5(d) shall be transmitted, within the seven-day period specified under such section, to the President of the Senate, the Speaker of the House of Representatives, and appropriate committees and subcommittees of Congress.

''(e) Notwithstanding any other provision of law, in carrying out the duties and responsibilities specified in this Act, the Inspector General of the Department of Homeland Security shall have oversight responsibility for the internal investigations performed by the Office of Internal Affairs of the United States Customs Service, the Office of Inspections of the United States Secret Service, the Bureau of Border Security, and the Bureau of Citizenship and Immigration Services. The head of each such office or bureau shall promptly report to the Inspector General the significant activities being carried out by such office or bureau.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 811 of the Homeland Security Act of 2002 (Public Law 107–296) is repealed.

(2) Section 8D of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in subsection (b)(1)—

(i) in the first sentence, by striking '', the Office of Internal Affairs of the United States Customs Service, and the Office of Inspections of the United States Secret Service,''; and

(ii) in the second sentence, by striking ''each'';

(B) in subsection (c), by striking ''bureaus and services'' and inserting ''bureau''; and

(C) in subsection (d)—

(i) by striking ''a bureau or service'' and inserting ''the bureau''; and

(ii) by striking ''or service'' after ''such bureau''.

SEC. 105. EXECUTIVE OFFICE FOR IMMIGRATION REVIEW. (a) The Homeland Security Act of 2002 (Public Law 107–296) is amended—

(1) in subsection 1102(2), by inserting new paragraphs (A) and (B) as follows, and by redesignating current paragraphs (A) and (B) as paragraphs ''(C)'' and ''(D)'' respectively—

''(A) by striking 'Attorney General' in the title and inserting in lieu thereof 'Secretary of Homeland Security';

''(B) by striking 'The Attorney General' in subsection (a)(1) and inserting in lieu thereof 'The Secretary of Homeland Security';'' and

(2) by adding, at the end of title XI, subtitle A, a new section as follows—

"SEC. 1104. EFFECTIVE DATE.

''The provisions of this subtitle shall take effect on the date of the transfer of functions from the Commissioner of Immigration and Naturalization to officials of the Department of Homeland Security.''.

SEC. 106. SAVINGS PROVISION OF CERTAIN TRANSFERS MADE UNDER THE HOMELAND SECURITY ACT OF 2002. The transfer of functions under subtitle B of title XI of the Homeland Security Act of 2002 (Public Law 107–296) shall not affect any pending or completed administrative actions, including orders, determinations, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, licenses, or registrations, in effect on the date immediately prior to the date of such transfer, or any proceeding, unless and until amended, modified, superseded, terminated, set aside, or revoked. Pending civil actions shall not be affected by such transfer of functions.

SEC. 107. RESTORATION OF PROVISION REGARDING FEES TO COVER THE FULL COSTS OF ALL ADJUDICATION SERVICES. The Homeland Security Act of 2002 (Public Law 107–296) is amended by striking section 457, including the amendment made by such section: Provided, That no court shall have jurisdiction over any cause or claim arising under the provisions of section 457 of the Homeland Security Act of 2002 (Public Law 107–296), this section, or any regulations promulgated thereunder.

This division may be cited as the ''Homeland Security Act Amendments of 2003''.

DIVISION M—OTHER MATTERS

DEFENSE RELATED TECHNICAL CORRECTIONS

SEC. 101. Section 8126 of Public Law 107–248 is amended to read as follows: ''Of the amounts appropriated in Public Law 107–206, under the heading 'Defense Emergency Response Fund', $4,500,000 may be made available to settle the disputed takings of property adjacent to the Army Tooele Depot, Utah: Provided, That none of these funds may be used to acquire fee title to the properties.''.

SEC. 102. Of the amounts appropriated in Public Law 107–248, under the heading ''Operation and Maintenance, Navy'', $20,000,000 shall be available for use only in the disposal of obsolete vessels in the Maritime Administration National Defense Reserve Fleet. Further, the Secretary of the Navy and the Secretary of Transportation shall report to the congressional defense committees no later than March 1, 2003, regarding the total number of obsolete vessels in the Maritime Administration National Defense Reserve Fleet designated for disposal, the comparative condition of the vessels, the method of disposal, and the projected costs for disposal of each vessel.

SEC. 103. Section 124 of Public Law 107–249 is amended by adding at the end before the period the following new proviso: '': Provided, That not more than $1,000,000 may be used to provide connectivity between the various North Atlantic Treaty Organization headquarters and the capitals of the New Independent States of the former Soviet Union''.

SEC. 104. In Public Law 107–249, the total amount appropriated under the heading ''Military Construction, Air Force'' is reduced by $18,600,000, and the total amount appropriated under the heading ''Military Construction, Air Force Reserve'' is increased by $18,600,000.

SEC. 105. (a) Of the funds appropriated in Public Law 107–249 for ''Military Construction, Air Force'', $15,000,000 for land acquisition at Nellis Air Force Base, Nevada, may be transferred by the Secretary of the Air Force to the United States Fish and Wildlife Service to fulfill the obligations of the Air Force under section 3011(b)(5)(F) of the Military Lands Withdrawal Act of 1999. Upon receipt by the Service of the funds transferred in this paragraph, the obligations of the Department of the Air Force shall be considered fulfilled.

(b) The United States Fish and Wildlife Service may grant funds received by the Service under subsection (a) in a lump sum to the National Fish and Wildlife Foundation for use in accomplishing the purposes of section 3011(b)(5)(F) of the Military Lands Withdrawal Act of 1999. Funds received by the Foundation under the previous paragraph shall be subject to the provisions of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701 et seq.), other than section 10(a) of that Act (16 U.S.C. 3709(a)).

SEC. 106. Section 8040 of Public Law 107–248 is amended by striking ''$100,000'' and inserting ''$250,000'': Provided, That notwithstanding any other provision of law, the Office of Economic Adjustment (OEA) is authorized to make grants using funds made available under the heading ''Operation and Maintenance, Defense-Wide'' in accordance with the guidance provided in the Joint Explanatory Statement of the Committee of Conference for the Conference Report to accompany H.R. 5010 (House Report 107–732) and these projects shall hereafter be considered to be authorized by law.

(TRANSFER OF FUNDS)

SEC. 107. Upon enactment of this Act, the Secretary of Defense shall make the following 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:

To:

Under the heading, ''Procurement, Defense-Wide, 2003/2005'', $48,900,000; and

''Procurement, Defense-Wide, 2002/2004'', $55,100,000;

From:

Under the heading, ''Defense Emergency Response Fund, 2002'', $40,000,000;

''Procurement of Weapons and Tracked Combat Vehicles, Army, 2003/2005'', $5,000,000;

''Procurement of Ammunition, Army, 2002/2004'', $10,100,000;

''Other Procurement, Air Force, 2003/2005'', $7,000,000;

''Research, Development, Test and Evaluation, Army, 2002/2003'', $5,000,000; and

''Research, Development, Test and Evaluation, Defense-Wide, 2003/2004'', $36,900,000.

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 $2,000,000 to the Commonwealth of Pennsylvania for Quecreek Mine disaster rescue and recovery efforts and a grant in the amount of $600,000 to the City of Philadelphia for safety and security lighting of the Platt Bridge.

(INCLUDING TRANSFER OF FUNDS)

SEC. 109. In addition to amounts appropriated in Public Law 107–248, there are hereby appropriated the following amounts for the following accounts: Provided, That funds included in this provision may be transferred to and merged with appropriations previously made available to the Department of Defense for the same time period and for the same purposes as required to carry out the intent of Congress as expressed in the Classified Annex accompanying the Statement of the Managers:

''Military Personnel, Army'', $771,200,000;

''Military Personnel, Navy'', $213,800,000;

''Military Personnel, Marine Corps'', $68,600,000;

''Military Personnel, Air Force'', $563,400,000;

''Operation and Maintenance, Army'', $1,340,347,000;

''Operation and Maintenance, Navy'', $435,813,000;

''Operation and Maintenance, Marine Corps'', $202,100,000;

''Operation and Maintenance, Air Force'', $1,766,958,000;

''Operation and Maintenance, Defense-Wide'', $1,377,313,000;

''Missile Procurement, Air Force'', $115,000,000;

''Other Procurement, Air Force'', $2,271,657,000;

''Procurement, Defense-Wide'', $33,448,000;

''Research, Development, Test and Evaluation, Navy'', $2,000,000;

''Research, Development, Test and Evaluation, Air Force'', $311,980,000;

''Research, Development, Test and Evaluation, Defense-Wide'', $416,284,000;

''Defense Health Program'', $95,100,000; and

''Intelligence Community Management Account'', $15,000,000, of which $5,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center.

SEC. 110. Funds appropriated by this Act or by Public Law 107–248, or made available by the transfer of funds in this Act or in Public Law 107–248, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 111. (a) LIMITATION ON USE OF FUNDS FOR RESEARCH AND DEVELOPMENT ON TOTAL INFORMATION AWARENESS PROGRAM.—Notwithstanding any other provision of law, commencing 90 days after the date of 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 department, 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 90 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 90 days after the date of the enactment of this Act is not practicable; and

(B) the cessation of research and development on the Total Information Awareness program would endanger the national security of the United States.

(b) REPORT.—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) the 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;

(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 that will be required to use the information in the manner proposed under such program; and

(5) includes recommendations, endorsed by the Attorney General, for practices, procedures, regulations, or legislation on the deployment, implementation, or use of the Total Information Awareness program to eliminate or minimize adverse effects of such program on privacy and other civil liberties.

(c) 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 or component, 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—

(A) notifies Congress of that development, including a specific and detailed description of—

(i) each element of such program or component intended to be deployed or implemented; and

(ii) the method and scope of the intended deployment or implementation of such program or component (including the data or information to be accessed or used); and

(B) has received specific authorization by law from Congress for the deployment or implementation of such program or component, including—

(i) a specific authorization by law for the deployment or implementation of such program or component; and

(ii) a specific appropriation by law of funds for the deployment or implementation of such program or component.

(2) The limitation in paragraph (1) shall not apply with respect to the deployment or implementation of the Total Information Awareness program, or a component of such program, in support of the following:

(A) Lawful military operations of the United States conducted outside the United States.

(B) Lawful foreign intelligence activities conducted wholly against non-United States persons.

(d) SENSE OF 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 without appropriate consultation with 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 laws assembled 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; and

(B) includes a program referred to in subparagraph (1), or a component of such program, that has been transferred from 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)).

(INCLUDING TRANSFER OF FUNDS)

SEC. 112. Section 8005 of the Department of Defense Appropriations Act, 2003 (Public Law 107–248) is amended by inserting before the period at the end the following: ": Provided further, That, in addition to the transfer authority provided in this section, and subject to the terms and conditions of this section except the limitation in the fourth proviso, the Secretary of Defense may, only to meet unforeseen fuel costs borne by the Defense Working Capital Fund resulting from fuel cost increases and the global war on terrorism, transfer up to an additional $500,000,000 of funds made available in this Act to the Department of Defense for military functions (except military construction), from such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund within the Defense Working Capital Fund to which transferred: Provided further, That notwithstanding any other provision of law, none of the funds provided in this or any other appropriations Act for the Department of Defense may be used for the drawdown authority in section 202 of the Afghanistan Freedom Support Act of 2002 (Public Law 107–327) prior to notifying the House and Senate Committees on Appropriations of the source of funds to be used for such purpose''.

DIVISION N—EMERGENCY RELIEF AND OFFSETS

SECTION 1. SHORT TITLE.—This division may be cited as the ''Miscellaneous Appropriations Act, 2003''.

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

TITLE I—ELECTION REFORM

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the Help America Vote Act of 2002, $2,000,000.

ELECTION ASSISTANCE COMMISSION

ELECTION REFORM PROGRAMS

For necessary expenses to carry out programs as authorized by the Help America Vote Act of 2002, $833,000,000, of which $830,000,000 shall be for requirements payments under Section 257 of that Act, of which $1,500,000 shall be available for a Help America Vote College Program, and of which $1,500,000 shall be available for the establishment of a Help America Vote foundation: Provided, That no more than 1/10 of 1 percent of funds available for requirements payments under Section 257 of the Help America Vote Act of 2002 shall be allocated to any territory.

GENERAL SERVICES ADMINISTRATION

ELECTION REFORM PAYMENTS

For necessary expenses to carry out programs of payments to states as authorized by Title I of the Help America Vote Act of 2002, $650,000,000, of which not to exceed $500,000 shall be available to the General Services Administration for necessary administrative expenses.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DISABLED VOTER SERVICES

For necessary expenses to carry out programs as authorized by the Help America Vote Act of 2002, $15,000,000, of which $13,000,000 shall be for payments to states to promote disabled voter access, and of which $2,000,000 shall be for payments to states for disabled voters protection and advocacy systems.

TITLE II—AGRICULTURAL ASSISTANCE

SEC. 201. SHORT TITLE.

This title may be cited as the ''Agricultural Assistance Act of 2003''.

SEC. 202. CROP DISASTER ASSISTANCE.

(a) ASSISTANCE AVAILABLE.—The Secretary of Agriculture (in this title referred to as the ''Secretary'') shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance available to producers on a farm that have incurred qualifying losses for the 2001 or 2002 crop of an agricultural commodity (other than sugar or tobacco) due to damaging weather or related condition, as determined by the Secretary.

(b) ADMINISTRATION.—

(1) USE OF FORMER ADMINISTRATIVE AUTHORITY.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–55), including using the same loss thresholds for quantity and quality losses as were used in administering that section.

(2) PAYMENT RATE.—The payment rate for a crop for assistance provided under this section to the producers on a farm shall be calculated as follows:

(A) If the producers obtained a policy or plan of insurance, including a catastrophic risk protection plan, for the crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 50 percent of the applicable price for the crop.

(B) If a policy or plan of insurance, including a catastrophic risk protection plan, for the crop was not available to the producers under the Federal Crop Insurance Act, 50 percent of the applicable price for the crop.

(C) Subject to subsections (e) and (f), if the producers did not obtain a policy or plan of insurance, including a catastrophic risk protection plan, available for the crop under the Federal Crop Insurance Act, 45 percent of the applicable price for the crop.

(c) ELECTION OF CROP YEAR.—If a producer incurred qualifying crop losses in both the 2001 and 2002 crop years, the producer shall elect to receive assistance under this section for losses incurred in either the 2001 crop year or the 2002 crop year, but not both.

(d) PAYMENT LIMITATION.—

(1) LIMITATION.—Assistance provided under this section to a producer for losses to a crop, together with the amounts specified in paragraph (2) applicable to the same crop, may not exceed 95 percent of what the value of the crop would have been in the absence of the losses, as estimated by the Secretary.

(2) OTHER PAYMENTS.—In applying the limitation in paragraph (1), the Secretary shall include the following:

(A) Any crop insurance payment made under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or payment under section 196 of the Federal Agricultural Improvement and Reform Act of 1996 (7 U.S.C. 7333) that the producer receives for losses to the same crop.

(B) The value of the crop that was not lost (if any), as estimated by the Secretary.

(e) INELIGIBILITY FOR ASSISTANCE.—Except as provided in subsection (f), the producers on a farm shall not be eligible for assistance under this section with respect to losses to an insurable commodity or noninsurable commodity if the producers on the farm—

(1) in the case of an insurable commodity, did not obtain a policy or plan of insurance for the insurable commodity under the Federal Crop Insurance Act for the crop incurring the losses; and

(2) in the case of a noninsurable commodity, did not file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 for the crop incurring the losses.

(f) CONTRACT WAIVER.—The Secretary may waive subsection (e) with respect to the producers on a farm if the producers enter into a contract with the Secretary under which the producers agree—

(1) in the case of an insurable commodity, to obtain a policy or plan of insurance under the Federal Crop Insurance Act providing additional coverage for the insurable commodity for each of the next two crops; and

(2) in the case of a noninsurable commodity, to file the required paperwork, and pay the administrative fee by the applicable State filing deadline, for the noninsurable commodity for each of the next two crops under section 196 of the Federal Agriculture Improvement and Reform Act of 1996.

(g) EFFECT OF VIOLATION.—In the event of the violation of a contract under subsection (f) by a producer, the producer shall reimburse the Secretary for the full amount of the assistance provided to the producer under this section.

(h) DEFINITIONS.—In this section:

(1) ADDITIONAL COVERAGE.—The term ''additional coverage'' has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) INSURABLE COMMODITY.—The term ''insurable commodity'' means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act.

(3) NONINSURABLE COMMODITY.—The term ''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.

SEC. 203. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use

funds of the Commodity Credit Corporation to carry out the 2002 Livestock Compensation Program announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070).

(2) ELIGIBLE APPLICANTS.—Subject to subsection (c), in carrying out the Program, the Secretary shall—

(A) provide assistance to any applicant that—

(i) conducts a livestock operation that is physically located in a disaster county; and

(ii) meets all other eligibility requirements established by the Secretary for the Program; and

(B) provide assistance to any applicant that—

(i) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1)); and

(ii) meets all other eligibility requirements established by the Secretary for the Program.

(b) LIVESTOCK ASSISTANCE PROGRAM.—

(1) ASSISTANCE AVAILABLE.—Subject to paragraph (2) and subsection (c), the Secretary shall use $250,000,000 of funds of the Commodity Credit Corporation to establish a program under which payments are made to livestock producers for losses in a disaster county. To carry out the program, the Secretary shall use the criteria established to carry out the 1999 Livestock Assistance Program, except that, in lieu of the gross revenue criteria used for the 1999 Livestock Assistance Program, the Secretary shall use the adjusted gross income limitation contained in section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a).

(2) CHOICE OF PAYMENTS.—If the livestock operation of the producers is located in a county that was declared to be a disaster county for both calendar year 2001 and calendar year 2002, the producers shall elect to receive payments under this subsection for losses in either calendar year 2001 or calendar year 2002, but not both. If the livestock operation is located in a county that was declared to be a disaster county in just one of those calendar years, the producers may still elect to receive payments under this subsection for losses in either calendar year, but not both.

(c) RELATIONSHIP OF LIVESTOCK ASSISTANCE PROGRAMS.—

(1) REDUCTION IN PAYMENTS.—The amount of assistance that the producers would otherwise receive for a loss under a livestock assistance program described in paragraph (2) shall be reduced by the amount of the assistance that the producers receive under any other livestock assistance program described in such paragraph.

(2) COVERED LIVESTOCK ASSISTANCE PROGRAMS.—Paragraph (1) applies to the following livestock assistance programs:

(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).

(C) The livestock assistance program established under subsection (b).

(D) Any other livestock assistance program, as determined by the Secretary.

(d) DEFINITIONS.—In this section:

(1) DISASTER COUNTY.—The term ''disaster county'' means a county included in the geographic area covered by a qualifying natural disaster declaration for calendar year 2001 or calendar year 2002 for which the request for such declaration was submitted during the period beginning on January 1, 2001, and ending on the date of enactment of this Act. However, the term does not include a contiguous county.

(2) 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. 1961(a)); or

(B) a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 204. 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. 205. 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 temporary transfers or undermarketings, a basic quota or allotment for eligible tobacco is established for the 2002 crop year under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.);

(B) controls the farm from which, under the quota or allotment for the relevant period, eligible tobacco is marketed, could have been marketed, or can be marketed, taking into account temporary transfers; or

(C) grows, could have grown, or can grow eligible tobacco that is marketed, could have been marketed, or can be marketed under the quota or allotment for the 2002 crop year, taking into account temporary transfers.

(2) ELIGIBLE TOBACCO.—The term ''eligible tobacco'' means each of the following kinds of tobacco:

(A) Flue-cured tobacco, comprising types 11, 12, 13, and 14.

(B) Fire-cured tobacco, comprising types 21, 22, and 23.

(C) Dark air-cured tobacco, comprising types 35 and 36.

(D) Virginia sun-cured tobacco, comprising type 37.

(E) Burley tobacco, comprising type 31.

(F) Cigar-filler and cigar-binder tobacco, comprising types 42, 43, 44, 54, and 55.

(b) PAYMENTS.—Not later than June 1, 2003, the Secretary shall use funds of the Commodity Credit Corporation to make payments under this section.

(c) POUNDAGE PAYMENT QUANTITIES.—

(1) IN GENERAL.—

(A) FLUE-CURED AND CIGAR TOBACCO.—In the case of Flue-cured tobacco (types 11, 12, 13, and 14) and cigar-filler and cigar-binder tobacco (types 42, 43, 44, 54, and 55), the poundage payment quantity under this section shall equal the number of pounds of the basic poundage quota of the kind of tobacco, irrespective of temporary transfers or undermarketings, under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2002 crop year.

(B) OTHER KINDS OF ELIGIBLE TOBACCO.—In the case of each other kind of eligible tobacco, the poundage payment quantity under this section shall equal—

(i) in the case of eligible persons that are owners described in subsection (a)(1)(A), the number of pounds of the basic poundage quota of the kind of tobacco, irrespective of temporary transfers or undermarketings, as determined under paragraph (2); and

(ii) in the case of eligible persons that are controllers described in subsection (a)(1)(B) or growers described in subsection (a)(1)(C), the number of pounds of effective poundage quota of the kind of tobacco, including temporary transfers or undermarketings, as determined under paragraph (2).

(2) CONVERSION OF INDIVIDUAL ALLOTMENTS TO POUNDAGE PAYMENT QUANTITIES.—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 subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.) for the 2002 crop year; by

(B)(i) in the case of fire-cured tobacco (type 21), 1,746 pounds per acre;

(ii) in the case of fire-cured tobacco (types 22 and 23), 2,676 pounds per acre;

(iii) in the case of dark air-cured tobacco (types 35 and 36), 2,475 pounds per acre;

(iv) in the case of Virginia sun-cured tobacco (type 37), 1,502 pounds per acre; and

(v) in the case of cigar-filler and cigar-binder tobacco (types 42, 43, 44, 54, and 55), 2,230 pounds per acre.

(d) 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) 5.55 cents per pound; and

(2) the national basic poundage quota for the applicable kind for the 2002 marketing year, as determined under subsection (c)(2).

(e) 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-filler and cigar-binder tobacco (types 42, 43, 44, 54, and 55), the Secretary shall distribute (as determined by the Secretary)—

(A) 50 percent of the payments to eligible persons that are owners described in subsection (a)(1)(A); and

(B) 50 percent of the payments to eligible persons that are growers described in subsection (a)(1)(C).

(3) OTHER KINDS OF ELIGIBLE TOBACCO.—In the case of payments made available in a State under subsection (b) for each other kind of eligible tobacco not covered by paragraph (2), the Secretary shall distribute (as determined by the Secretary)—

(A) 33⅓ percent of the payments to eligible persons that are owners described in subsection (a)(1)(A);

(B) 33⅓ percent of the payments to eligible persons that are controllers described in subsection (a)(1)(B); and

(C) 33⅓ percent of the payments to eligible persons that are growers described in subsection (a)(1)(C).

(f) SPECIAL RULE FOR GEORGIA.—The Secretary may make payments under this section to eligible persons in Georgia only if the State of Georgia agrees to use $13,000,000 to make payments at the same time, or subsequently, to the same persons in the same manner as provided for the Federal payments under this section, as required by section 204(b)(6) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1421 note; Public Law 106–224).

(g) JUDICIAL REVIEW.—A determination by the Secretary under this section shall not be subject to judicial review.

SEC. 206. COTTONSEED.

The Secretary shall use $50,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2002 crop of cottonseed.

SEC. 207. HURRICANE ASSISTANCE.

(a) IN GENERAL.—In a State in a which a qualifying natural disaster declaration has been made during a calendar year, the Secretary shall make available to first processors that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) assistance in the form of payments, or commodities in the inventory of the Commodity Credit Corporation from carrying out that section, to partially compensate producers and first processors for crop

and other losses that are related to the qualifying natural disaster declaration.

(b) ADMINISTRATION.—Assistance under this section shall be—

(1) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers; and

(2) made available under such terms and conditions as the Secretary determines are necessary to carry out this section.

(c) QUANTITY.—To carry out this section, the Secretary shall—

(1) use 150,000 tons of commodities in the inventory of the Commodity Credit Corporation under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(2) make payments in an aggregate amount equal to the market value of 150,000 tons of commodities described in paragraph (1); or

(3) take any combination of actions described in paragraphs (1) and (2) using commodities or payments with a total market value of 150,000 tons of commodities described in paragraph (1).

(d) LIMITATIONS.—The Secretary shall provide assistance under this section only in a State described in section 359f(c)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(A)) in which a qualifying natural disaster declaration was made during calendar year 2002.

(e) QUALIFYING NATURAL DISASTER DECLARATION.—In this section, the term ''qualifying natural disaster declaration'' means—

(1) a natural disaster declared by the Secretary under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

(2) a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 208. WEATHER-RELATED LOSSES.

The Secretary shall use not more than $60,000,000 of funds of the Commodity Credit Corporation to provide assistance to sugar beet producers that suffered production losses (including quality losses), as determined by the Secretary, for either the 2001 crop year or the 2002 crop year, but not both, as elected by the producers.

SEC. 209. ASSISTANCE TO AGRICULTURAL PRODUCERS LOCATED ALONG RIO GRANDE FOR WATER LOSSES.

(a) IN GENERAL.—The Secretary shall use $10,000,000 of funds of the Commodity Credit Corporation to make a grant to the State of Texas, acting through the Texas Department of Agriculture, to provide assistance to agricultural producers in the State of Texas with farming operations along the Rio Grande that have suffered economic losses during the 2002 crop year due to the failure of Mexico to deliver water to the United States in accordance with the Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, and Supplementary Protocol signed November 14, 1944, signed at Washington, February 3, 1944 (59 Stat. 1219; TS 994).

(b) AMOUNT.—The amount of assistance provided to individual agricultural producers under this section shall be proportional to the amount of economic losses described in subsection (a) that were incurred by the producers.

SEC. 210. ASSISTANCE TO AGRICULTURAL PRODUCERS LOCATED IN NEW MEXICO FOR TEBUTHIURON APPLICATION LOSSES.

(a) IN GENERAL.—The Secretary shall use not more than $1,650,000 of funds of the Commodity Credit Corporation to reimburse agricultural producers on farms located in the vicinity of Malaga, New Mexico, for losses incurred during calendar years 2002 and 2003 as the result of the application by the Federal Government of tebuthiuron on land on or near the farms of the producers during August 2002. The funds made available under this subsection shall remain available until expended.

(b) AMOUNT.—The amount of assistance provided to individual agricultural producers under this section shall be proportional to the amount of losses described in subsection (a) that were incurred by the producers.

SEC. 211. ASSISTANCE TO CITRUS AND LIME GROWERS FOR LOST PRODUCTION FROM TREES REMOVED TO CONTROL CITRUS CANKER.

(a) IN GENERAL.—Subject to subsection (b), the Secretary shall use not more than $18,200,000 of the funds of the Commodity Credit Corporation, to remain available until expended, to compensate commercial citrus and lime growers in the State of Florida for lost production with respect to trees removed to control citrus canker, and with respect to certified citrus nursery stocks within the citrus canker quarantine areas, as determined by the Secretary.

(b) REMOVAL OF TREES.—For a grower to receive assistance for a tree under this section, the tree must have been removed after September 30, 2001.

SEC. 212. ADMINISTRATION.

Section 1232(a)(7)(A)(iii) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(7)(A)(iii)) is amended by inserting before the semicolon the following: '', except that this clause shall not apply to the 2002 calendar year, and the Secretary shall repay the owner or operator (in a manner determined by the Secretary) for any reduction in rental payments made to the owner or operator as the result of the application of this clause to the 2002 calendar year''.

SEC. 213. TECHNICAL ASSISTANCE.

Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by striking subsection (b) and inserting the following new subsection (b):

''(b) TECHNICAL ASSISTANCE.—

''(1) DATE OF ENACTMENT THROUGH SEPTEMBER 30, 2003.—During the period beginning on the date of enactment of the Agricultural Assistance Act of 2003 and ending on September 30, 2003, Commodity Credit Corporation funds made available under paragraphs (4) through (7) of subsection (a) shall be available for the provision of technical assistance (subject to section 1242) for the conservation programs specified in subsection (a).

''(2) SUBSEQUENT FISCAL YEARS.—Effective beginning on October 1, 2003, Commodity Credit Corporation funds made available under paragraphs (3) through (7) of subsection (a) shall be available for the provision of technical assistance (subject to section 1242) for the conservation programs specified in subsection (a).''; and

(2) by redesignating subsection (c) as subsection (d) and inserting after subsection (b) the following new subsection (c):

''(c) RELATIONSHIP TO OTHER LAW.—The use of Commodity Credit Corporation funds under subsection (b) to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i).''.

SEC. 214. PRODUCER-OWNED COOPERATIVE MARKETING ASSOCIATION LOAN FORFEITURE AUTHORITY.

(a) IN GENERAL.—Section 844 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–387 (114 Stat. 1549, 1549A–160), and amended by section 101(9) of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763, 2763A–172)), is amended—

*(1) in the section heading, by striking ''**burley, flue-cured, and cigar binder type 54–55**''; and*

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting '', or the 1999, 2000, and 2001 crops of type 21 Fire-cured tobacco or type 37 Virginia sun-cured tobacco'' after ''tobacco'' the first place it appears; and

(ii) by striking ''Burley, Flue-cured, or Cigar Binder Type 54–55'' the second place it appears;

(B) in paragraph (2)(B), by striking ''Burley, Flue-cured, Cigar Binder Type 54–55, or any other kind of tobacco'' and inserting ''any kind of tobacco''; and

(C) in paragraph (3)(A), by striking ''the Burley, Flue-cured, or Cigar Binder Type 54–55 tobacco'' and inserting ''any tobacco''.

(b) APPLICATION.—The amendments made by subsection (a) apply during fiscal year 2003.

SEC. 215. BOVINE TUBERCULOSIS ERADICATION.

In addition to funds made available under section 106 of the Miscellaneous Appropriations Act, 2001 (114 Stat. 2763, 2763A–173), the Secretary shall use not more than $15,000,000 of the funds of the Commodity Credit Corporation to make payments to agricultural producers for incidental costs incurred by the producers as a result of payments received under that section.

SEC. 216. FUNDING.

(a) IN GENERAL.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title, to remain available until expended.

(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 associated with the implementation 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.

(c) LIMITATION.—Section 1241(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(3)) is amended by inserting before the period at the end the following: '', using not more than $3,773,000,000 for the period of fiscal years 2003 through 2013''.

SEC. 217. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

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

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act'').

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

SEC. 218. Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, the provisions of this title that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were they included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and by the Chairmen of the House and Senate Budget Committees, as appropriate, under the Congressional Budget Act of 1974.

TITLE III—WILDLAND FIRE EMERGENCY

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount to repay prior year advances from other appropriations transferred

for wildfire suppression and emergency rehabilitation by the Department of the Interior, $189,000,000, to remain available until expended.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount to repay advances from other appropriations from which funds were transferred for wildfire suppression and emergency rehabilitation activities, $636,000,000, to remain available until expended. Of the funds provided, $70,000,000 shall be transferred to the Knutson Vandenburg fund, $30,000,000 shall be transferred to the Salvage Sale fund, $143,000,000 shall be transferred to the Land Acquisition account, $132,000,000 shall be transferred to the Capital Improvement and Maintenance account, $30,000,000 shall be transferred to the Timber Purchaser Election account, $77,000,000 shall be transferred to the State and Private Forestry account, $23,000,000 shall be transferred to the Forest and Rangeland Research account, $62,000,000 shall be transferred to the National Forest System account, $20,000,000 shall be transferred to the Brush Disposal Account, $30,000,000 shall be transferred to the Working Capital Fund of the Forest Service, $4,000,000 shall be transferred to the Receipts for Road and Trail fund, $1,000,000 shall be transferred to the Operations and Maintenance of Quarters fund, and $14,000,000 shall be transferred to the Forest Service Recreation Fee Demonstration fund.

TITLE IV—TANF AND MEDICARE

SEC. 401. Section 114 of Public Law 107–229, as amended by section 3 of Public Law 107–240 and by section 2 of Public Law 107–294, is amended—

(1) by striking ''the date specified in section 107(c) of this joint resolution'' and inserting ''June 30, 2003''; and

(2) by striking '': Provided further, That notwithstanding'' and all that follows through the period and inserting a period.

SEC. 402. (a) Section 1848(i)(1)(C) of the Social Security Act (42 U.S.C. 1395w–4(i)(1)(C) is amended to read as follows:

''(C) the determination of conversion factors under subsection (d), including without limitation a prospective redetermination of the sustainable growth rates for any or all previous fiscal years,''.

(b)(1) Notwithstanding the determination of the applicable standardized amounts under paragraph (3)(A) of section 1886(d) of the Social Security Act (42 U.S.C. 1395ww(d)), for purposes of making payments under such section for discharges occurring during the period beginning on April 1, 2003, and ending on September 30, 2003, the standardized amount applicable under such paragraph for hospitals located other than in a large urban area for that period shall be increased to an amount equal to the standardized amount otherwise applicable under such paragraph for hospitals located in a large urban area for that period.

(2) The increase in the standardized amount for hospitals located other than in a large urban area provided for under paragraph (1) for the period beginning on April 1, 2003, and ending on September 30, 2003, shall not apply to discharges occurring after such period, and shall not be taken into account in calculating the payment amounts applicable for discharges occurring after such period.

SEC. 403. Section 136 of Public Law 107–229, as added by section 5 of Public Law 107–240, is amended by striking ''60 days after the date specified in section 107(c) of Public Law 107–229, as amended'' and inserting ''September 30, 2003''.

SEC. 404. Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, the provisions of this title that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were they included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and by the Chairmen of the House and Senate Budget Committees, as appropriate, under the Congressional Budget Act of 1974.

TITLE V—FISHERIES DISASTERS

SEC. 501. FISHERIES DISASTERS.—In addition to amounts appropriated or otherwise made available, $100,000,000 is appropriated to the Department of Commerce for fisheries disaster assistance. Not more than 5 percent of such funds may be used for administrative expenses, and no funds may be used for lobbying activities or representational expenses.

(a) WESTERN PACIFIC AND NORTH PACIFIC.—$5,000,000 shall be made available as a direct lump sum payment to the State of Hawaii for economic assistance to fisheries affected by federal closures or fishing restrictions and $35,000,000 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 provide (A) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel including subsistence activities, and other urgent needs; (B) assistance for small businesses including fishermen, fish processors, and related businesses serving the fishing industry; (C) and assistance for local and borough governments adversely affected by reductions in fish landing fees and other fishing-related revenue; and (D) product development and marketing.

(b) NORTHEAST AND WEST COAST.—$10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the Northeast multispecies fishery and $10,000,000 shall be made available to conduct a voluntary fishing capacity reduction program in the West Coast groundfish fishery. Such sums shall supplement the voluntary capacity reduction program authorized for the fishery in Sec. 211 of Public Law 107–206 and be consistent with section 312(b) of the Magnuson-Stevens Fishery Conservation and Management Act and the requirements relating to the capacity program in section 211 of Public Law 107–206 that shall—

(1) permanently revoke all fishery licenses, fishery permits, area and species endorsements, and any other fishery privileges issued to a vessel or vessels (or to persons on the basis of their operation or ownership of that vessel or vessels) removed under the program; and

(2) ensure that vessels removed under the program are made permanently ineligible to participate in any fishery worldwide, and that the owners of such vessels will operate only under the United States flag or be scrapped as a reduction vessel pursuant to section 600.1011(c) of title 50, Code of Federal Regulations.

(c) GULF AND SOUTH ATLANTIC.—

(1) $17,500,000 shall be made available for assistance to the shrimp industries in the states of South Carolina, Georgia, North Carolina, and Florida in proportion to the percentage of the shrimp catch landed by each state for economic assistance to the South Atlantic shrimp fishery: Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida east coast fishery; and

(2) $17,500,000 shall be made available for assistance to the shrimp industries in the states of Mississippi, Texas, Alabama, Louisiana, and Florida in proportion to the percentage of the shrimp catch landed by each state for economic assistance to the Gulf shrimp fishery: Provided, That the State of Florida shall receive only that proportion associated with landings of the Florida gulf coast fishery. Provided further, That 2 percent of funds received by each state shall be retained by the state for distribution of additional payments to fishermen with a demonstrated record of compliance with turtle excluder and bycatch reduction device regulations, and that the remainder of the 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 fishermen, fish processors, and related businesses serving the fishing industry; (C) domestic product marketing and seafood promotion; (D) state seafood testing programs; (E) development of limited entry programs for the fishery; (F) funding or other incentives to ensure widespread and proper use of turtle excluder devices and bycatch reduction devices in the fishery; and (G) voluntary capacity reduction programs for shrimp fisheries under limited access.

(d) BLUE CRAB FISHERY.—$5,000,000 shall be made available for assistance to blue crab fisheries affected by reduced harvests and sales of blue crab in proportion to the amount of the catch landed by each state, Provided, That such funds may be used only for: (A) personal assistance with priority given to food, energy needs, housing assistance, transportation fuel, and other urgent needs; (B) assistance for small businesses including fishermen, fish processors, and related businesses serving the fishing industry; (C) domestic product marketing and seafood promotion; and (D) state seafood testing programs: Provided further, That the Secretary of Commerce, in consultation with the Commandant of the Coast Guard, shall provide coordinated, enhanced and routine support for fisheries monitoring and enforcement through use of remote sensing, aircraft and communications assets, with particular emphasis on federal waters seaward of the coasts of South Carolina and Georgia, including the Charleston Bump closed area.

TITLE VI—OFFSETS

SEC. 601. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.65 percent of—

(1) the budget authority provided (or obligation limitation imposed) for fiscal year 2003 for any discretionary account in divisions A through K of this joint resolution;

(2) the budget authority provided in any advance appropriation for fiscal year 2003 for any discretionary account in any prior fiscal year appropriations Act; and

(3) the contract authority provided in fiscal year 2003 for any program subject to limitation contained in this joint resolution.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(c) The rescission in subsection (a) shall not apply to budget authority appropriated or otherwise made available by this joint resolution in the following amounts in the following activities or accounts:

$4,696,000,000 provided for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in the Department of Agriculture in division A;

$6,667,533,000 provided for the Head Start Act in the Department of Education in division G;

$23,889,304,000 provided for medical care in the Department of Veterans Affairs in division K; and

$3,836,000,000 provided for the Shuttle program in the National Aeronautics and Space Administration in division K.

TITLE VII—BONNEVILLE POWER ADMINISTRATION BORROWING AUTHORITY

SEC. 701. 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 made available under the Federal 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 use more than $531,000,000 of its permanent borrowing authority in fiscal year 2003.

SEC. 702. Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, the provisions of this title that would have been estimated by the Office of Management and Budget as changing direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 were they included in an Act other than an appropriations Act shall be treated as direct spending or receipts legislation, as appropriate, under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, and by the Chairmen of the House and Senate Budget Committees, as appropriate, under the Congressional Budget Act of 1974.

DIVISION O

PRICE-ANDERSON ACT AMENDMENTS

SEC. 101. EXTENSION OF INDEMNIFICATION AUTHORITY.

INDEMNIFICATION OF NUCLEAR REGULATORY COMMISSION LICENSEES.—Section 170 c. of the Atomic Energy Act of 1954 (42 U.S.C. 2210(c)) is amended by striking ''August 1, 2002'' each place it appears and inserting ''December 31, 2003''.

DIVISION P

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SECTION 1. SHORT TITLE.—This division may be cited as the ''United States-China Economic and Security Review Commission''.

SEC. 2. (a) APPROPRIATIONS.—There are appropriated, out of any funds in the Treasury not otherwise appropriated, $1,800,000, to remain available until expended, to the United States-China Economic and Security Review Commission.

(b) NAME CHANGE.—

(1) IN GENERAL.—Section 1238 of the Floyd D. Spence National Defense Authorization Act of 2001 (22 U.S.C. 7002) is amended—

*(A) in the section heading by inserting ''**ECONOMIC AND**'' before ''**SECURITY**'';*

(B) in subsection (a)—

(i) in paragraph (1), by inserting ''Economic and'' before ''Security''; and

(ii) in paragraph (2), by inserting ''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 (3)—

(I) in the matter preceding subparagraph (A), by inserting ''Economic and'' before ''Security''; and

(II) in subparagraph (H), by inserting ''Economic and'' before ''Security''; and

(iv) in paragraph (4), by inserting ''Economic and'' before ''Security'' each place it appears; and

(D) in subsection (e)—

(i) in paragraph (1), by inserting ''Economic and'' before ''Security'';

(ii) in paragraph (2), by inserting ''Economic and'' before ''Security'';

(iii) in paragraph (3)—

(I) in the first sentence, by inserting ''Economic and'' before ''Security''; and

(II) in the second sentence, by inserting ''Economic and'' before ''Security'';

(iv) in paragraph (4), by inserting ''Economic and'' before ''Security''; and

(v) in paragraph (6), by inserting ''Economic and'' before ''Security'' each place it appears.

(2) REFERENCES.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the United States-China Security Review Commission shall be deemed to refer to the United States-China Economic and Security Review Commission.

(c) MEMBERSHIP, RESPONSIBILITIES, AND TERMS.—

(1) IN GENERAL.—Section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of 2001 (22 U.S.C. 7002) is amended by striking subparagraph (F) and inserting the following:

''(F) each appointing authority referred to under subparagraphs (A) through (D) of this paragraph shall—

''(i) appoint 3 members to the Commission;

''(ii) make the appointments on a staggered term basis, such that—

''(I) 1 appointment shall be for a term expiring on December 31, 2003;

''(II) 1 appointment shall be for a term expiring on December 31, 2004; and

''(III) 1 appointment shall be for a term expiring on December 31, 2005;

''(iii) make all subsequent appointments on an approximate 2-year term basis to expire on December 31 of the applicable year; and

''(iv) make appointments not later than 30 days after the date on which each new Congress convenes;''.

(2) RESPONSIBILITIES OF THE COMMISSION.—The United States-China Commission shall focus, in lieu of any other areas of work or study, on the following:

(A) PROLIFERATION PRACTICES.—The Commission shall analyze and assess the Chinese role in the proliferation of weapons of mass destruction and other weapons (including dual use technologies) to terrorist-sponsoring states, and suggest possible steps which the United States might take, including economic sanctions, to encourage the Chinese to stop such practices.

(B) ECONOMIC REFORMS AND UNITED STATES ECONOMIC TRANSFERS.—The Commission shall analyze and assess the qualitative and quantitative nature of the shift of United States production activities to China, including the relocation of high-technology, manufacturing, and R&D facilities; the impact of these transfers on United States national security, including political influence by the Chinese Government over American firms, dependence of the United States national security industrial base on Chinese imports, the adequacy of United States export control laws, and the effect of these transfers on United States economic security, employment, and the standard of living of the American people; analyze China's national budget and assess China's fiscal strength to address internal instability problems and assess the likelihood of externalization of such problems.

(C) ENERGY.—The Commission shall evaluate and assess how China's large and growing economy will impact upon world energy supplies and the role the United States can play, including joint R&D efforts and technological assistance, in influencing China's energy policy.

(D) UNITED STATES CAPITAL MARKETS.—The Commission shall evaluate the extent of Chinese access to, and use of United States capital markets, and whether the existing disclosure and transparency rules are adequate to identify Chinese companies which are active in United States markets and are also engaged in proliferation activities or other activities harmful to U.S. security interests.

(E) CORPORATE REPORTING.—The Commission shall assess United States trade and investment relationship with China, including the need for corporate reporting on United States investments in China and incentives that China may be offering to United States corporations to relocate production and R&D to China.

(F) REGIONAL ECONOMIC AND SECURITY IMPACTS.—The Commission shall assess the extent of China's ''hollowing-out'' of Asian manufacturing economies, and the impact on United States economic and security interests in the region; review the triangular economic and security relationship among the United States, Taipei and Beijing, including Beijing's military modernization and force deployments aimed at Taipei, and the adequacy of United States executive branch coordination and consultation with Congress on United States arms sales and defense relationship with Taipei.

(G) UNITED STATES-CHINA BILATERAL PROGRAMS.—The Commission shall assess science and technology programs to evaluate if the United States is developing an adequate coordinating mechanism with appropriate review by the intelligence community with Congress; assess the degree of non-compliance by China and United States-China agreements on prison labor imports and intellectual property rights; evaluate United States enforcement policies; and recommend what new measures the United States Government might take to strengthen our laws and enforcement activities and to encourage compliance by the Chinese.

(H) WORLD TRADE ORGANIZATION COMPLIANCE.—The Commission shall review China's record of compliance to date with its accession agreement to the WTO, and explore what incentives and policy initiatives should be pursued to promote further compliance by China.

(I) MEDIA CONTROL.—The Commission shall evaluate Chinese government efforts to influence and control perceptions of the United States and its policies through the internet, the Chinese print and electronic media, and Chinese internal propaganda.

(3) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

And the Senate agreed to the same.

BILL YOUNG,
RALPH REGULA,
JERRY LEWIS,
HAL ROGERS,
FRANK R. WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
ERNEST J. ISTOOK, Jr.
HENRY BONILLA,
JOE KNOLLENBERG,
JACK KINGSTON,
JOHN P. MURTHA,
NORMAN D. DICKS,
(except sections 323 and 335 of Division F, and conservation spending),
ALAN B. MOLLOHAN,
PETER J. VISCLOSKY,
JOSÉ E. SERRANO,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
KIT BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,

BEN NIGHTHORSE CAMPBELL,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
MIKE DEWINE,
SAM BROWNBACK,
ROBERT C. BYRD,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
PATRICK J. LEAHY,
BARBARA A. MIKULSKI,
PATTY MURRAY,
(except for sections 323 and 335 of Division F),
BYRON L. DORGAN,
DIANNE FEINSTEIN,
TIM JOHNSON,
MARY L. LANDRIEU,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the resolution (H.J. Res. 2) making further continuing appropriations for the fiscal year ending September 30, 2003, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

This conference agreement includes the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2003; the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2003; the District of Columbia Appropriations Act, 2003; the Energy and Water Development Appropriations Act, 2003; the Foreign Operations, Export Financing, and Related Agencies Appropriations Act, 2003; the Department of the Interior and Related Agencies Appropriations Act, 2003; the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003; the Legislative Branch Appropriations Act, 2003; the Department of Transportation and Related Agencies Appropriations Act, 2003; the Treasury and General Government Appropriations Act, 2003; the Departments of Veterans Affairs and Urban Development, and Independent Agencies Appropriations Act, 2003; the Homeland Security Act Amendments of 2003; additional appropriations for the Department of Defense; miscellaneous appropriations; and amendments to the Price-Anderson Act.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES PROGRAMS APPROPRIATIONS, 2003

CONGRESSIONAL DIRECTIVES

The statement of the managers remains silent on provisions that were in both the House directives as contained in H. Rept. 107–623, and the Senate directives as contained in the Congressional Record of January 15, 2003, pages S356–S410, that remain unchanged by this conference agreement, except as noted in this statement of the managers.

For many years, this Act has included bill language regarding the employment of temporary personnel as authorized by 5 U.S.C. 3109 and/or 7 U.S.C. 2225. The conference agreement does not include this language under individual accounts in this Act, because it appears that this authority is no longer required. In particular, this authority was not utilized by the Farm Service Agency during fiscal year 2001, the most recent year for which information was provided. The conferees agree to provide authority to employ temporary personnel as a general provision of this Act (section 703). The exercise of this authority will require detailed justification, notification to the House and Senate Committees on Appropriations, and advance approval of the Committees.

The conferees agree that Federal Employees' Compensation Act (FECA) costs be absorbed within appropriations provided herein.

TITLE I—AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

The conference agreement provides $3,412,000 for the Office of the Secretary as proposed by the Senate instead of $31,629,000 as proposed by the House.

The conferees are seriously concerned by the growing frequency of departmental and agency initiatives for which the required prior notification to the Committees on Appropriations of the House and Senate has not been provided. The conferees note the efficiencies which attach to the least possible statutory requirements and the benefits which accrue to the more flexible Congressional direction expressed in Committee reports. However, the continuing practice of reliance on Committee report language must be accompanied by departmental and agency compliance with Congressional directives. Section 720 of this Act, and similar language included in previous acts, provide detailed guidelines to the U.S. Department of Agriculture for those activities that require prior notification to the Congress. Such notification was not provided in the recent release of Section 32 funds for the creation of a Livestock Compensation Program, the establishment of a Faith-Based and Community Initiatives Center, the improper use of Conservation Operations funds for the implementation of Farm Bill programs, and other similar violations of statutory reprogramming and prior notification requirements. The conferees expect full compliance with Section 720 in the areas of state office collocations, administrative and information technology convergence, and all other activities that fall within the scope of that section. The conferees also expect that no reprogramming of funds occur in the absence of an emergency or not as a consequence of unforeseen events. Further, the conferees note that when an agency submits a reprogramming request to the House and Senate Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the agency to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming request unapproved.

The conferees are concerned that the U.S. and Canada made little progress in implementing the harmonized standards for pesticide regulation as required by the North American Free Trade Agreement (NAFTA). The conferees direct USDA, in consultation with the Environmental Protection Agency, to institute these standards so that concerns in the pricing of agricultural products for the farmers will be addressed. The conferees also direct USDA to report on the planned actions taken to implement the harmonization standards to the Committees on Appropriations within 180 days of enactment of this Act.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

The conference agreement provides $8,566,000 for the Office of the Chief Economist as proposed by the House instead of $12,016,000 as proposed by the Senate.

The President's budget request included additional funding for the Website for Commodity Market Information, Weather Information and Drought Management, and to Analyze Critical Farm Energy Data. The conferees provide an increase of $692,000 to be applied to the highest priority needs for which additional funding was requested.

NATIONAL APPEALS DIVISION

The conference agreement provides $13,759,000 for the National Appeals Division as proposed by both the House and Senate.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

The conference agreement provides $7,358,000 for the Office of Budget and Program Analysis as proposed by both the House and Senate.

OFFICE OF THE CHIEF INFORMATION OFFICER

The conference agreement provides $15,251,000 for the Office of the Chief Information Officer as proposed by the House instead of $31,275,000 as proposed by the Senate.

The conferees expect that increases provided above fiscal year 2002 shall go toward the highest priority items contained in the fiscal year 2003 budget request.

COMMON COMPUTING ENVIRONMENT

The conference agreement provides $133,155,000 for common computing environment as proposed by both the House and Senate.

OFFICE OF THE CHIEF FINANCIAL OFFICER

The conference agreement provides $5,572,000 for the Office of the Chief Financial Officer as proposed by the House instead of $7,877,000 as proposed by the Senate.

WORKING CAPITAL FUND

The conference agreement does not provide $41,000,000 for the Working Capital Fund as proposed by the House. The Senate bill contained no such provision. The conferees note that $21,700,000 in fiscal year 2002 balances have been transferred to the Working Capital Fund, and will be available to meet the needs for which an appropriation was requested.

The conferees direct the Secretary of Agriculture to submit a feasibility study to the Committees on Appropriations on the need for remote mirroring backup technology of the National Finance Center's data. This study should include a breakdown of the costs and the timeframe associated with acquiring such technology, and should designate an appropriate physical location for the backup site. The study shall also specify how the costs of the remote data capability should be assigned and paid for by non-USDA users of the National Finance Center, including the Federal Retirement Thrift Investment Board. Upon approval by the Committees on Appropriations, the funds appropriated to the Working Capital Fund shall be made available to provide mirror imaging technology for the National Finance Center.

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL RIGHTS

The conference agreement provides $400,000 for the Office of the Assistant Secretary for Civil Rights as proposed by the Senate. The House bill contained no such provision.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

The conference agreement provides $664,000 for the Office of the Assistant Secretary for Administration as proposed by the House instead of $780,000 as proposed by the Senate.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

The conference agreement provides $196,781,000 for agriculture buildings and facilities and rental payments instead of $195,900,000 as proposed by the House and $197,662,000 as proposed by the Senate.

The President's budget request includes additional funding for the Fair Labor Standards and Service Contract Acts and for major

repairs and improvements to headquarters. The conferees provide an increase of $881,000 to be applied to the highest priority needs for which additional funding is requested.

HAZARDOUS MATERIALS MANAGEMENT

The conference agreement provides $15,685,000 for Hazardous Materials Management as proposed by the House and Senate.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $38,095,000 for Departmental Administration as proposed by the House instead of $42,479,000 as proposed by the Senate.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

The conference agreement provides $3,821,000 for the Office of the Assistant Secretary for Congressional Relations as proposed by the House instead of $4,157,000 as proposed by the Senate.

OFFICE OF COMMUNICATIONS

The conference agreement provides $9,140,000 for the Office of Communications as proposed by the House instead of $9,637,000 as proposed by the Senate.

The conferees direct the Office to provide to the Committees on Appropriations, in either electronic or facsimile format, as requested, copies of any open source news material made available to USDA officials that is purchased or otherwise obtained using appropriated funds, amending licenses as necessary.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $74,097,000 for the Office of the Inspector General as proposed by the House instead of $78,127,000 as proposed by the Senate.

The conference agreement does not include increased funds in this account for financial statement audits for the Food and Nutrition Service and Rural Development programs, or the increase requested for Forest Service audits. Funds for FNS and RD audits are included in the accounts for those programs, as requested.

OFFICE OF THE GENERAL COUNSEL

The conference agreement provides $35,017,000 for the Office of the General Counsel instead of $34,446,000 as proposed by the House and $35,588,000 as proposed by the Senate.

The conferees expect that increases provided above the fiscal year 2002 level shall go toward highest priority items contained in the fiscal year 2003 budget request.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

The conference agreement provides $588,000 for the Office of the Under Secretary for Research, Education and Economics as proposed by the House instead of $780,000 as proposed by the Senate.

ECONOMIC RESEARCH SERVICE

The conference agreement provides $69,123,000 for the Economic Research Service instead of $73,329,000 as proposed by the House and $65,123,000 as proposed by the Senate.

The conferees provide $5,000,000 for ERS to carry out food and nutrition studies, of which $1,000,000 is for the Small Research Grants Program. The conference agreement provides full funding for the ERS portion of the Agricultural Resource Management Survey.

The conferees are aware that the current primary livestock model used by USDA has not been re-estimated in its entirety since 1990 and much of the data used to develop this model was from the 1960s and 1970s, long before packer concentration, captive supplies and increasing imports. These factors have had significant impacts on the livestock industry. The conferees direct the Economic Research Service to update, revise, and improve livestock modeling capacity.

The conferees are concerned that ERS appears to have ceased publishing regional monthly production costs for dairy farmers. These monthly production calculations are a valuable tool and helpful to Congress in developing dairy policy. As such the conferees strongly urge the Department to publish or otherwise make available regional monthly production cost calculations for dairy farmers.

The conferees request the Economic Research Service to conduct a study of the Cranberry Marketing Committee and its administration of the Cranberry Marketing Order and report to the Committees on Appropriations by September 30, 2003. The study shall focus on the economics of the cranberry industry and the response of the Cranberry Marketing Committee to the unprecedented losses incurred by cranberry growers since 1999. The report of the study shall include recommendations to ensure that the Cranberry Marketing Order is administered in a manner that benefits cranberry growers and promotes the public interest.

NATIONAL AGRICULTURAL STATISTICS SERVICE

The conference agreement provides $139,354,000 for the National Agricultural Statistics Service instead of $137,858,000 as proposed by the House and $140,854,000 as proposed by the Senate.

The conference agreement includes full funding for the NASS portion of the Agricultural Resource Management Survey, and $1,500,000 for e-government activities.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $1,052,770,000 for the Agricultural Research Service, Salaries and Expenses, instead of $1,002,193,000 as proposed by the House and $1,053,597,000 as proposed by the Senate.

The conferees have agreed to increased funding for the following laboratories and areas of research: Genetic Resources Research, Riverside, CA, Parlier, CA, Corvallis, OR, Ames, IA, Davis, CA, Madison, WI, and Pullman, WA $200,000 each; Agricultural Genome Sequencing at Weslaco, TX, $250,000; Ithaca, NY, and Albany , CA, $400,000 each; Improve Biomass Feedstock for Production of Energy and Biobased Products at Albany, CA, Athens, GA, and Madison, WI, $200,000 each; Technologies for Biobased Products at Albany, CA, $400,000, Athens, GA, $200,000, and Peoria, IL, $800,000; Improve Conversion of Agricultural Materials to Biofuels at Bushland, TX, Albany, CA, and Peoria, IL, $200,000 each; Determine Rates of Gene Flow from Crops to Nearby Vegetation at Corvallis, OR, and Ames, IA, $225,000 each; Develop and Test Novel Strategies to Prevent Pest Resistance to Plant-Incorporated Protectants at Wapato, WA, $225,000; Limit Transgene Activity to Specific Tissues at Albany, CA, and Ames, IA, $400,000 each, and Ithaca, NY, and Peoria, IL, $225,000 each; Develop Biocontrol Programs for Invasive Pests at Davis, CA, Frederick MD, Newark, DE, $200,000 each, and Wooster, OH, $250,000; Identify and Characterize Exotic Plant Diseases at Wooster, OH, Frederick, MD, and Prosser, WA, $200,000 each; Research on Emerging and Exotic Animal Diseases for PRDC at Ames, IA, $450,000, Marek's Disease Research at Athens, GA, $400,000, BSE/TSE Research at Albany, CA, Ames, IA, and Pullman, WA, $400,000 each, Managing Waste to Reduce Risks to the Environment and Human Health at Madison, WI, and Bushland, TX, $200,000 each; Protect Water and Air from Manure Nutrients and Pathogens at Ames, IA, Athens, GA, Kimberly, ID,$200,000 each, and University Park, PA, $225,000; Assess Risks to Agricultural Resources Arising from Weather Variabilities at Coshocton, OH, $200,000; Accoustics Technology, Oxford, MS, $200,000; Advanced Animal Vaccines, Greenport, NY, $150,000; Aerial Application Research, $120,000; Agricultural Genome Bioinformatics, Las Cruces, NM, $500,000; Agricultural Law, $100,000; Agroforestry Research, Booneville, AR, $50,000; Animal Welfare Information Center, $80,000; Appalachian Fruit Research Station, Kearneysville, WV, $250,000; Appalachian Pasture Beef, Beaver, WV $100,000; Aquaculture Density Research, FL $200,000; Aquaculture Research, Aberdeen, ID, $250,000; Arid Lands Research, Las Cruces, NM, $250,000; Arkansas Childrens' Nutrition Center, Little Rock, AR, $250,000; Barley Food Health Benefits Research, Beltsville, MD, $50,000; Biomass Crop Production, Brookings, SD, $500,000; Biomedical Materials in Plants, Beltsville, MD, $425,000; Biotechnology Research to Improve Crops and Livestock, Stoneville, MS, $1,500,000; Bovine Genetics, Beltsville, MD, $300,000; Broiler Production in the Mid-South, Mississippi State, MS, $1,000,000; Canal Point Sugarcane Research, Canal Point, FL, $500,000; Catfish Health, Stoneville, MS, $500,000; Central Great Plains Research Station, Akron, CO, $500,000; Cereal Disease Research, St. Paul, MN, $250,000; Chloroplast Genetic Engineering Research, Urbana, IL, $500,000; Coffee and Cocoa, $500,000; Corn Germplasm, Ames, IA, $500,000; Cotton Genetics Research, Florence, SC, $250,000; Cotton Genomics, Breeding, Varietal Development, and Pest Resistance, Stoneville, MS, $700,000; Dairy Forage Research, Madison, WI, $1,000,000; Dairy Genetics Research, Beltsville, MD, $350,000; Delta Nutrition Intervention Initiative, Little Rock, AR, $750,000; Endophyte Research, Booneville, AR, $250,000; Fish Disease Research, Auburn, AL, $500,000; Floriculture and Nursery Research, $500,000; Food Safety and Engineering, Wyndmoor, PA (Purdue), $500,000; Food Safety for Listeria, E. coli, and Other Food Pathogens, $350,000; Forage-Livestock Systems, Lexington, KY, $800,000; Forage and Range Research, Logan, UT, $250,000; Formosan Subterranean Termite, New Orleans, LA, $200,000; Ft. Keogh Livestock and Range Research Laboratory, Miles City, MT, $500,000; Ft. Pierce Horticultural Research Laboratory, Ft. Pierce, FL, $500,000; Glassy-Winged Sharp Shooter, $600,000; Grand Forks Human Nutrition Laboratory, Grand Forks, ND, $250,000; Grape Genetics, Geneva, NY $250,000; Grapefruit Juice/Drug Interaction, Winterhaven, FL, $300,000; Greenhouse Lettuce Germplasm, Salinas, CA, $40,000; Harbor Branch Aquaculture Initiative, Stuttgart, AR, $250,000; Harry Dupree National Aquacultural Research Center, Stuttgart, AR, $250,000; Sugarcane Research, Houma, LA, $250,000; Hides and Leather Research, Wyndmoor, PA, $100,000; Horticulture Research, Poplarville, MS, $500,000; Human Nutrition Research Center on Aging, Boston, MA, $400,000; Integrated Farming Systems, Ames, IA, $250,000; IPM Strategies for Northern Climates, Fairbanks, AK, $700,000; Johne's Disease (Bovine Paratuberculosis), $1,000,000; Karnal Bunt, Manhattan, KS, $250,000; Livestock Genome Sequencing, Clay Center, NE, $250,000; Malignant Catarrhal Fever (MCF) Virus, Pullman, WA, (Cooperation with ARS Dubois, ID Sheep Station and WSU), $200,000; Microbial Genomics Initiative, Pullman, WA, (Cooperation with ARS Tick Res. Unit Kerrville, TX & WSU), $300,000; Michael Fields Agricultural Institute, Madison, WI, $500,000; Mid-West/Mid-South Irrigation, Columbia, MO, $300,000; Minor Use Pesticides (IR–4), $150,000; National Cold Water Marine Aquaculture,

Orono, ME, $250,000; National Corn to Ethanol Research Pilot Plant, ARS staffing, Wyndmoor, PA, $400,000; National Nutrition Monitoring System, Beltsville, MD, $500,000; National Sclerotinia Initiative, Fargo, ND, $500,000; National Soil Erosion Laboratory, West Lafayette, IN, $250,000; Natural Products, Oxford, MS, $350,000; Northern Grains Insect Research Laboratory, Brookings, SD, $500,000; Northern Great Plains Ecosystem, Sidney, MT, $800,000; Noxious Weeds in the Desert Southwest, Las Cruces, NM $250,000; Nutritional Requirements Research at Childrens' Nutrition Research Center, Houston, TX, $450,000; Ogallala Aquifer, Bushland, TX, $750,000; Olive Fruit Fly Research, Parlier, CA, Montpellier, France, $200,000; Ornamental Crops Research, Poplarville, MS, (University of Tennessee), $750,000; Pear Thrips, Ithaca, NY, (University of Vermont) $100,000; Phytoestrogen Research, SRRC $750,000 (Cooperative Research Tulane, Xavier, and University of Toledo $250,000 each); Plant Stress and Water Conservation Research, Lubbock, TX, $250,000; Potato Research, Aberdeen, ID, $30,000; Poultry Diseases, Athens, GA, $800,000; Precision Agriculture Research, Mandan, ND, $500,000; Regional Grains Genotyping Research, Raleigh, NC, $250,000; Resistance Management and Risk Assessment in BT Cotton and Other Plant-Incorporated Protectants, Stoneville, MS, $1,100,000; Seafood Waste, Fairbanks, AK, $200,000; Sedimentation Issues in Flood-Control Dam Rehabilitations, Oxford, MS, $475,000; Shellfish Genetics, Newport, OR, (OSU Hatfield Marine Science Center) $250,000; Small Fruit Research, Corvallis, OR, $250,000; Soil Dynamics, Auburn, AL, $250,000; Soil-Plant Nutrient Research, Ft. Collins, CO, $100,000; Sorghum Research, $662,000 (Manhattan, KS $200,000; Bushland, TX $212,000; Little Rock, AR $150,000, and Stillwater, OK $100,000); Source Water Protection Initiatives, (Columbus, OH, $250,000; W. Lafayette, IN, $250,000) $500,000; Sudden Oak Disease Syndrome, Ft. Detrick, MD, $200,000; Sugar Beet Research, Kimberly, ID, $130,000; Sustainable Olive Production, Weslaco, TX, $130,000; Sustainable Viticulture Research, Davis, CA, $250,000; Sweet Potato Research, Stoneville, MS, $350,000; Swine Lagoon Alternatives Research, Florence, SC, $500,000; Trout Genome Mapping, Leetown, WV, (WV University) $500,000; U.S. National Arboretum, Washington, DC, $250,000; U.S. Pacific Basin Agricultural Research, Hilo, HI, $200,000; U.S. Vegetable Lab staffing, Charleston, SC, $500,000; Virus-Free Fruit Tree Cultivars, Prosser, WA, $250,000; Viticulture Research, ($300,000 U. ID Parma, $400,000 NWCSFR(U. ID/WSU/OSU)), ($150,000, Prosser (WSU)) $850,000; Waste Management Research, Western Kentucky University, $1,000,000; Water Use Reduction/Producer Enhancement Research, (Water Quality/Water Use Research), Dawson, GA, $500,000; West Nile Virus, Gainesville, FL, $250,000; Western Grazing Lands Research, Burns, OR, $750,000; Western Wheat Quality Laboratory, Pullman, WA, $75,000; Wheat and Barley Scab Initiative, $600,000; pay costs, $17,689,000.

The conference agreement provides for the redirection of funding for hyperspectral imaging technology research, as proposed by the Senate.

The conferees expect that close cooperation will be established and maintained among the nursery and floral industry, the Agricultural Research Service, the University of Tennessee, and the Tennessee State University / ARS Nursery Crop Research Station in McMinnville, Tennessee, to avoid duplication of effort. The conference agreement includes $750,000 for this collaborative ornamental horticulture program.

The conference agreement provides an increase of $50,000 from the fiscal year 2002 level to continue research on shiitake mushrooms at the South Central Family Farm Research Center at Booneville, AR.

The conference agreement continues the fiscal year 2002 level of funding for all research projects proposed to be terminated in the President's budget.

BUILDINGS AND FACILITIES

The conference agreement provides $119,480,000 for the Agricultural Research Service, Buildings and Facilities, instead of $95,280,000 as proposed by the House and $100,955,000 as proposed by the Senate.

The following table reflects the conference agreement:

	Conference Agreement
Arizona, Maricopa	
U.S. Water Conservation and Western Cotton Laboratories	$12,300,000
District of Columbia	
U. S. National Arboretum	1,700,000
Hawaii, Hilo	
U.S. Pacific Basin Agriculture Research Center	3,000,000
Idaho, Aberdeen	
Advanced Genetics Laboratory	4,600,000
Iowa, Ames	
National Animal Disease Center	33,000,000
Kansas, Manhattan	
Grain Marketing and Production Research Center	4,280,000
Maine, Orono	
Northeast Marine Cold Water Aquaculture Center	9,150,000
Maryland	
Beltsville Agricultural Research Center	4,180,000
Abraham Lincoln National Agricultural Library	1,500,000
Minnesota, St. Paul	
Cereal Disease Laboratory	3,200,000
Mississippi, Oxford	
Plant Propagation Facility	2,000,000
Mississippi, Poplarville	
Southern Horticultural Laboratory	9,200,000
Oklahoma, Woodward	
Southern Plains Range Research Station	8,000,000
South Carolina, Charleston	
U.S. Vegetable Laboratory	1,400,000
South Dakota, Brookings	
Northern Grain Insects Research Laboratory	8,600,000
Utah, Logan	
Poisonous Plant laboratory	1,495,000
West Virginia, Kearneysville	
Appalachian Fruit Research Station	475,000
Wisconsin, Madison	
Cereal Crops Research Laboratory	8,400,000
Wisconsin, Marshfield	
Nutrient Management Research Laboratory	3,000,000
Total	**$119,480,000**

National Agricultural Library.—The conferees understand that a number of cracks have occurred within the brick veneer structure of the Abraham Lincoln National Agricultural Library in Beltsville, Maryland, posing a serious life-safety concern for pedestrian traffic. The conference agreement provides $1,500,000 to investigate and initiate remedy for this serious issue.

U.S. National Arboretum.—A study to determine the underlying cause of water quality degradation in the Hickey Run area was completed in 1999. This study provided numerous recommendations to reduce the waste and pollution entering the U.S. National Arboretum in the District of Columbia. The conference agreement provides $1,700,000 for Hickey Run pollution abatement activities to be carried out at the U.S. National Arboretum.

Completion of facilities.—The conference agreement provides funding necessary to complete the construction of research facilities at the following locations: Maricopa, AZ; Aberdeen, ID; Manhattan, KS; Orono, ME; St. Paul, MN; Oxford, MS; Poplarville, MS; Woodward, OK; Brookings, SD; Logan, UT; and Madison, WI. The conferees expect that these construction projects will deliver complete and useable facilities within the appropriations provided under this Act.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

The conference agreement provides $620,827,000 for research and education activities instead of $572,616,000 as proposed by the House and $651,411,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Research and Education Activities	
Payments under the Hatch Act	$180,148
Cooperative Forestry Research (McIntire-Stennis)	21,884
Payments to 1890 Colleges and Tuskegee University	35,643
Special Research Grants:	
Advanced genetic technologies (KY)	675
Advanced spatial technologies (MS)	989
Aegilops cylindricum (jointed goatgrass) (WA)	383
Agricultural diversification (HI)	128
Agricultural diversity/Red River Corridor (MN, ND)	500
Agriculture science (OH)	500
Agriculture water usage (GA)	293
Agroecology (MD)	400
Air quality (TX)	875
Alliance for food protection (NE,GA)	300
Alternative Crops (ND)	200
Alternative nutrient management (VT)	186
Alternative salmon products (AK)	631
Alternative uses for tobacco (MD)	360
Animal Disease Research (WY)	250
Animal science food safety consortium (AR, KS, IA)	1,614
Apple fireblight (MI, NY)	495
Aquaculture (AR)	232
Aquaculture (WA/ID)	775
Aquaculture (LA)	330
Aquaculture (MS)	586
Aquaculture (NC)	293
Aquaculture (VA)	125
Aquaculture product and marketing development (WV)	740
Armilliaria root rot (MI)	160
Asparagus technology and production (WA)	280
Babcock Institute (WI)	600
Beef technology transfer (MO)	294
Berry research (AK)	200
Biomass-based energy research (OK, MS)	1,150
Biotechnology (NC)	306
Biotechnology Test Production (IA)	200
Blocking Anhydrous Methamphetamine Production (IA)	242
Bovine Tuberculosis (MI)	348
Brucellosis vaccine (MT)	493
Center for food quality (UT)	150
Center for rural studies (VT)	340
Chesapeake Bay agroecology (MD)	320
Childhood obesity and nutrition (VT)	150
Citrus Canker (FL)	490
Citrus Tristeza	725
Competitiveness of agricultural products (WA)	680
Computational agriculture (NY)	250
Cool season legume research (ID, WA)	336
Cotton fiber quality (GA)	400
Cranberry/blueberry (MA)	172
Cranberry/blueberry disease & breeding (NJ)	236
Crop integration and production (SD)	275

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Crop diversification center (ND/MO)	800
Crop pathogens (NC)	200
Dairy and meat goat research (TX)	63
Dairy farm profitability (PA)	500
Delta rural revitalization (MS)	205
Designing foods for health (TX)	825
Diaprepes/Root Weevil (FL)	450
Dietary intervention (OH)	250
Drought mitigation (NE)	225
Efficient irrigation (NM/TX)	1,500
Environmental biotechnology (RI)	600
Environmental research (NY)	395
Environmental risk factors/cancer (NY)	222
Environmentally safe products (VT)	245
Exotic pest diseases (CA)	1,900
Expanded wheat pasture (OK)	310
Farm injuries and illnesses (NC)	278
Feed barley for rangeland cattle (MT)	833
Feed efficiency in cattle (FL)	250
Feedstock conversion (SD)	560
Fish and shellfish technologies (VA)	465
Food Chain Economic Analysis (IA)	50
Floriculture (HI)	400
Food and Agriculture Policy Research Institute (IA, MO)	1,525
Food irradiation (IA)	245
Food Marketing Policy Center (CT)	490
Food processing center (NE)	42
Food quality (AK)	350
Food safety (AL)	1,125
Food safety (OK, ME)	625
Food safety (TX)	200
Food safety research consortium	900
Food safety risk assessment (ND)	1,350
Food security (WA)	450
Food Systems Research Group (WI)	550
Forages for advancing livestock production (KY)	434
Forestry (AR)	512
Future Foods (IL)	250
Generic commodity promotions, research and evaluation (NY)	195
Genomics (MS)	720
Global Change / Ultraviolet radiation	2,250
Grain Sorghum (KS)	140
Grapefruit juice/drug interaction (FL)	250
Grass seed cropping for sustainable agriculture (WA, OR, ID)	457
Greenhouse nurseries (OH)	150
Hispanic leadership in agriculture (TX)	450
Hoop barns (IA)	210
Human nutrition (IA)	732
Human nutrition (LA)	800
Human nutrition (NY)	615
Hydroponic tomato production (OH)	100
Illinois-Missouri Alliance for Biotechnology	1,214
Improved dairy management practices (PA)	400
Improved early detection of crop diseases (NC)	194
Improved fruit practices (MI)	239

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Increasing shelf life of agricultural commodities (ID)	795
Infectious disease research (CO)	750
Institute for biobased products and food science (MT)	600
Institute for Food Science & Engineering (AR)	1,222
Integrated production systems (OK)	233
Intelligent quality sensor for food safety (ND)	360
International arid lands consortium	517
Iowa Biotechnology Consortium	1,765
Livestock and Dairy Policy (NY, TX)	604
Livestock genome sequencing (IL)	450
Lowbush blueberry research (ME)	265
Maple research (VT)	150
Meadowfoam (OR)	295
Michigan Biotechnology Consortium	628
Midwest Advanced Food Manufacturing Alliance	480
Midwest agricultural products (IA)	632
Midwest poultry consortium (IA)	700
Milk safety (PA)	750
Minor use animal drugs (IR-4)	588
Molluscan shellfish (OR)	395
Montana Sheep Institute	560
Multi-commodity research (OR)	400
Multi-cropping strategies for aquaculture (HI)	124
National beef cattle genetic evaluation consortium (NY)	672
National Biological Impact Assessment	253
Nematode resistance genetic engineering (NM)	147
Nevada Arid Rangelands Initiative (NV)	525
New crop opportunities (AK)	490
New crop opportunities (KY)	742
Non-food uses of agricultural products (NE)	64
Nursery, greenhouse, turf specialties (AL)	310
Oil resources from desert plants (NM)	225
Olive fly (CA)	40
Organic Cropping (WA)	125
Organic waste utilization (NM)	100
Oyster post harvest treatment (FL)	450
Ozone air quality (CA)	430
Pasture and forage research (UT)	248
Peach tree short life (SC)	262
Perennial wheat (WA)	150
Pest control alternatives (SC)	305
Phytophthora root rot (NM)	185
Pierce's disease (CA)	2,250
Plant biotechnology (IA)	250
Plant, drought, and disease resistance gene cataloging (NM)	247
Potato research	1,584
Precision agriculture (KY)	742
Preharvest food safety (KS)	208
Preservation and processing research (OK)	224
Protein utilization (IA)	425
Rangeland ecosystems (NM)	320
Regional barley gene mapping project	760
Regionalized implications of farm programs (MO, TX)	320
Rice agronomy (MO)	200
Ruminant nutrition (MT, ND, SD, WY)	450

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Rural Development Centers (LA, ND)	177
Rural obesity (NY)	200
Rural policies institute (NE, IA, MO)	1,270
Russian wheat aphid (CO)	320
Satsuma orange research (AL)	900
Seafood harvesting, processing and marketing (AK)	1,200
Seafood & aquaculture harvesting, processing & marketing (MS)	303
Seafood safety (MA)	425
Seed research (AK)	325
Small fruit research (OR, WA, ID)	400
Soil and environmental quality (DE)	130
Southwest consortium for plant genetics and water resources	392
Soybean cyst nematode (MO)	693
Soybean research (IL)	850
STEEP -- water quality in the Pacific Northwest	670
Sudden oak death (CA)	100
Sustainable agriculture (CA)	500
Sustainable agriculture (MI)	435
Sustainable agriculture and natural resources (PA)	150
Sustainable agriculture systems (NE)	59
Sustainable beef supply (MT)	1,000
Sustainable engineered materials from renewable sources (VA)	600
Sustainable pest management for dryland wheat (MT)	452
Swine and other animal waste management (NC)	495
Synthetic gene technology (OH)	168
Technological development of renewable resources (MO)	297
Tick borne disease prevention (RI)	100
Tillage, silviculture, waste management (LA)	425
Tri-state joint peanut research (AL)	600
Tropical aquaculture (FL)	240
Tropical and subtropical research / T STAR	9,000
Uniform farm management program (MN)	300
Value-added product development from ag resources (MT)	412
Value-added products (IL)	150
Viticulture consortium (NY, CA, PA)	1,800
Water conservation (KS)	79
Water treatment (RI)	150
Water use efficiency and water quality enhancements (GA)	540
Weed control (ND)	435
West Nile Virus (IL)	375
Wetland plants (LA)	600
Wheat genetic research (KS)	265
Wheat sawfly research (MT)	505
Wood utilization (OR, MS, NC, MN, ME, MI, ID, TN, AK)	6,170
Wool research (TX, MT, WY)	294
Subtotal, Special Research Grants	112,264
Improved pest control:	
Expert IPM Decision Support System	177
Integrated pest management	2,725
IR-4 minor crop pest management	10,743
Pest Management Alternatives	1,619
Subtotal, Improved pest control	15,264
National Research Initiative	167,131

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Animal Health and Disease (Sec. 1433)	5,098
1994 Institutions research program	1,100
Joe Skeen Institute for Rangeland Restoration (NM,TX,MT)	1,000
Graduate fellowship grants	3,243
Institution challenge grants	4,920
Multicultural scholars program	998
Hispanic education partnership grants	4,100
Secondary agriculture education	1,000
Capacity building grants (1890 institutions)	11,479
Payments to the 1994 Institutions	1,700
Alaska Native-serving & Native Hawaiian-serving education grants	3,500
Alternative crops:	
Canola	846
Hesperaloe and other natural products from desert plants	350
Aquaculture Centers (Sec. 1475)	4,500
Critical Agricultural Materials Act	1,250
Sustainable agriculture research and education (SARE)	13,750
Federal Administration:	
Ag-based industrial lubricants (IA)	450
Agriculture development in the American Pacific	552
Agriculture Waste Utilization (WV)	690
Agriculture Water Policy (GA)	715
Alternative fuels characterization laboratory (ND)	302
Animal Waste Management (OK)	335
Aquaculture (OH)	450
Aquaculture (PA)	250
Biotechnology research (MS)	750
Botanical research (UT)	640
Center for Agricultural and Rural Development (IA)	675
Center for Food Industry Excellence (TX)	250
Center for innovative food technology (OH)	765
Center for North American Studies (TX)	200
Climate forcasting (FL)	900
Cotton research (TX)	1,190
REE Information System	2,750
Electronic Grants Administration System / GPEA	2,250
Feed efficiency (WV)	160
Fruit/vegetable market analysis (AZ, MO)	340
Geographic information system	1,400
Germplasm development in forage grasses (OH)	100
High value horticultural crops (VA)	250
Information Technology (GA)	250
Livestock marketing information center (CO)	196
Mariculture (NC)	360
Mississippi Valley State University	1,050
Office of Extramural Programs	448
Pasteurization of shell eggs (MI)	250
Pay costs and FERS	2,095
Peer Panels	349
Phytoremediation plant research (OH)	640
PM-10 air quality study (WA)	438
Precision Agriculture / Tennessee valley research center (AL)	480
Produce pricing (AZ)	80

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Rural Systems (MS)	350
Salmon quality standards (AK)	140
Shrimp aquaculture (AZ, HI, LA, MS, MA, SC, TX)	4,214
Sustainable Agricultural Development (OH)	500
Urban Silviculture (NY)	241
Water pollutants (WV)	600
Water Quality (ND)	434
Wetland Plants (WV)	180
Subtotal, Federal Administration	29,659
Total, Research and Education Activities	620,827

The conferees have included $500,000 for the Special Research Grant for Agricultural Diversity in the Red River Trade Corridor. Of this amount, $100,000 is intended for the Northern Great Plains Inc. to initiate the establishment of policies and procedures of the Northern Great Plains Regional Authority as required by the Farm Security and Rural Investment Act of 2002.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

The conference agreement provides $7,100,000 for the Native American Institutions Endowment Fund as proposed by the Senate, instead of $9,000,000 as proposed by the House.

EXTENSION ACTIVITIES

The conference agreement provides $453,468,000 for extension activities instead of $441,821,000 as proposed by the House and $452,767,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference Agreement
Extension Activities	
Smith-Lever Sections 3(b) & 3(c)	281,218
Smith-Lever Section 3(d):	
Farm safety	5,525
Food & nutrition education (EFNEP)	58,566
Indian reservation agents	1,996
Pest management	10,759
Sustainable agriculture	4,875
Youth at risk	8,481
Youth Farm Safety Education and Certification	499
1890 Colleges and Tuskegee University	32,117
1890 facilities grants	15,000
Renewable Resources Extension Act	4,546
Rural health and safety education	2,622
Grants to Youth organizations	3,000
Extension services at the 1994 institutions	3,387
Subtotal	432,591
Federal Administration and special grants:	
Ag in the classroom	700
Agricultural and Entrepreneurship education (WI)	130
Ag telecommunications (NY)	382
Alabama beef connection	125
Beef producers' improvement (AR)	195
Botanical Garden Initiative (IL)	240
Conservation Technology Transfer (WI)	500
Dairy Education (IA)	235
Dairy industry revitalization (WI)	220
Diabetes detection, prevention (WA)	924
E-Commerce (MS)	375
Efficient Irrigation (NM/TX)	2,040
Entrepreneurial alternatives (PA)	250
Extension Specialist (MS)	150
Family farm industry network (OH)	1,386
Food Animal Residue Avoidance Database (FARAD)	800
Food preparation and marketing (AK)	300
Food product development (AK)	450
General administration and pay	5,680
Health Education Leadership (KY)	900
Income enhancement demonstration (OH)	241
Iowa Vitality Center	280
National Center for Agriculture Safety (IA)	198
Nursery production (RI)	250
Pilot technology transfer (OK, MS)	338
Pilot technology transfer (WI)	163
Potato Pest Management (WI)	300
Range improvement (NM)	245
Resilient communities (NY)	125
Rural development (AK)	700
Rural development (NM)	395
Rural development (ND)	100
Rural Technologies (HI, WI)	700

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference
	Agreement
Urban horticulture (WI)	540
Urban market development (NY)	125
Wood biomass as an alternative farm product (NY)	195
Subtotal, Federal Administration	20,877
Total, Extension Activities	453,468

Within funds provided for the farm safety program, the conference agreement includes $4,200,000 for the AgrAbility project.

The conference agreement provides $3,000,000 for Youth Grants as authorized under section 7412 of PL 107–171. Funding for similar activities is also provided under Smith-Lever, Youth at Risk, and other programs funded under this account. The conferees provide this funding to supplement funds provided in PL 107–171 and expect that future funding for Extension youth activities be provided through the other established programs.

The conference agreement provides $540,000 for urban horticulture activities in Wisconsin, of which $378,000 is directed to the University of Wisconsin Extension and $162,000 is directed to Growing Power of Milwaukee for community food systems.

INTEGRATED ACTIVITIES

The conference agreement provides $46,743,000 for integrated activities instead of $47,868,000 as proposed by the House and $48,218,000 as proposed by the Senate.

The following table reflects the conference agreement:

Cooperative State Research, Education, and Extension Service	
(Dollars in Thousands)	
	Conference Agreement
Integrated Activities	
Water Quality	12,971
Food Safety	14,967
Regional Pest Management Centers	4,531
Crops at Risk from FQPA Implementation	1,497
FQPA Risk Mitigation Program for Major Food Crop Systems	4,889
Methyl Bromide Transition Program	3,250
Organic Transition Program	2,125
International Science and Education Grants Program	500
Critical Issues --- Plant and Animal Diseases	500
Regional Rural Development Centers Program	1,513
Total, Integrated Activities	46,743

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

The conference agreement provides $3,493,000 for Outreach for Socially Disadvantaged Farmers under CSREES as proposed by the Senate. The House had proposed $8,243,000 for this account elsewhere in the bill.

OFFICE OF THE UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

The conference agreement provides $730,000 for the Office of the Under Secretary for Marketing and Regulatory Programs as proposed by the House instead of $780,000 as proposed by the Senate.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

The conference agreement provides $725,502,000 for the Animal and Plant Health Inspection Service (APHIS) instead of $735,937,000 as proposed by the House and $735,673,000 as proposed by the Senate.

The following table reflects the conference agreement:

Animal and Plant Health Inspection Service, 2003 Conference

[In thousands of dollars]

Pest and Disease Exclusion:	
Agricultural quarantine inspection	55,988
User fees	-
Cattle ticks	6,354
Foreign animal diseases/FMD	7,989
Fruit fly exclusion and detection	56,818
Import-export inspection	9,556
Screwworm	30,679
Trade issues resolution management	11,527
Tropical bont tick	422
Total, Pest and Disease Exclusion	179,333
Plant and Animal Health Monitoring:	
Animal health monitoring & surveillance	93,826
Animal and plant health regulatory enforcement	8,538
Emergency management systems	9,044
Pest detection	21,794
Total, Plant & Animal Health Monitoring	133,202
Pest and Disease Management:	
Aquaculture	1,397
Biological control	9,118
Boll weevil	62,000
Brucellosis	10,258
Chronic wasting disease	14,933
Emerging plant pests	75,289
Golden nematode	630
Grasshopper	4,369
Gypsy moth	4,677
Imported fire ant	2,437
Johnes disease	21,000
Noxious weeds	1,911
Pink bollworm	2,000
Plum pox	4,051
Pseudorabies	4,286
Scrapie	15,474
Tuberculosis	14,895
Wildlife services operations	69,036
Witchweed	1,530
Total, Pest and Disease Management	319,291
Animal Care:	
Animal welfare	16,408
Horse protection	493
Total, Animal Care	16,901
Scientific and Technical Services:	
AITI	4,242
Biotechnology/environmental protection	10,997
Plant methods development labs	5,373
Veterinary biologics	13,167
Veterinary diagnostics	23,921
Wildlife services methods development	14,972
Total, Scientific and Technical Services	72,672
Contingency fund	4,103
Total, Salaries and Expenses	725,502

The conference agreement provides $56,818,000 for the fruit fly exclusion and detection program, an increase of $20,000,000 above the fiscal year 2002 funding level. The increase includes $15,904,000 to enhance international activities to prevent Mediterranean fruit flies from moving into the United States, $3,182,000 to enhance activities at domestic borders, and $150,000 for olive fruit fly trapping efforts.

The conference agreement includes $2,000,000 to conduct preclearance quarantine inspections from Hawaii, Guam, Puerto Rico or the U.S. Virgin Islands to the continental U.S. instead of $3,000,000 as proposed by the Senate.

The conference agreement provides $1,000,000 for the cooperative agreement with the Wisconsin Animal Health Consortium as proposed by the House instead of $750,000 as proposed by the Senate.

The conference agreement provides $200,000 to assist in creating a database of North Carolina's agriculture industry for rapid response capabilities instead of $300,000 as proposed by the House.

The conference agreement provides $250,000 for the New Mexico Rapid Syndrome Validation Program instead of $300,000 as proposed by the Senate.

The conference agreement provides $900,000 for alkaline digesters of which $700,000 is for Auburn University College of Medicine and $200,000 is for the Mississippi Animal Disease and Research Diagnostic Laboratory in Jackson, MS instead of $1,000,000 as proposed by the Senate.

The conference agreement provides $9,044,000 for Emergency Management Systems as proposed by the House instead of $11,043,000 as proposed by the Senate. The conference agreement does not include language encouraging APHIS to work with the North Carolina Department of Agriculture's Emergency Programs Division as proposed by the Senate.

The conference agreement provides $1,397,000 for aquaculture as proposed by the Senate instead of $1,164,000 as proposed by the House.

The conference agreement appropriates $62,000,000 for the boll weevil eradication program as proposed by the Senate instead of $53,000,000 as proposed by the House.

The conference agreement provides $10,258,000 for brucellosis instead of $8,639,000 as proposed by the House and $10,358,000 as proposed by the Senate. The conference agreement does not include $100,000 for the Arkansas Livestock and Poultry Commission Brucellosis Program as proposed by the Senate.

The conference agreement provides $14,933,000 for chronic wasting disease as proposed by the House instead of $14,900,000 as proposed by the Senate.

The conference agreement provides an increase of $9,000,000 for glassy-winged sharpshooter containment and control for a total of $17,500,000.

The conference agreement provides an increase of $9,251,000 for the Asian long-horned beetle program for a total of $35,000,000.

The conference agreement provides an increase of $16,549,000 for citrus canker.

The conference agreement provides $4,369,000 for grasshopper program, of which not less than $650,000 shall be for grasshopper and Mormon cricket control activities in Utah; $150,000 to prepare necessary environmental documents; $500,000 to continue control measures; and not less than $300,000 shall be for grasshopper and Mormon cricket control activities in Nevada as proposed by the Senate.

The conference agreement provides $2,437,000 for the control, management, and eradication of the imported fire ant of which $45,000 is for New Mexico and $260,000 is for Tennessee.

The conference agreement provides $1,911,000 for noxious weeds instead of $1,438,000 as proposed by the House and $1,611,000 as proposed by the Senate. The conference agreement includes $300,000 for the Kiski Basin Initiative (PA); $100,000 for the Nez-Perce Bio-Control Center; and $250,000 for implementation of an invasive species program to prevent the spread of cogongrass in Mississippi.

The conference agreement provides $15,474,000 for scrapie instead of $20,474,000 as proposed by the House and $8,178,000 as proposed by the Senate.

The conference agreement provides $14,895,000 for tuberculosis as proposed by the Senate instead of $18,124,000 as proposed by the House.

The conference agreement provides $69,036,000 for wildlife services operations instead of $65,709,000 as proposed by the House and $67,144,000 as proposed by the Senate.

The conference agreement includes $8,000,000 for a cooperative rabies oral rabies vaccination program of which $350,000 shall be for operations in Maryland.

The conference agreement provides $5,217,000 to provide an effective response to control animal diseases in U.S. wild animal populations of which $1,250,000 is for remote diagnostic and wildlife disease surveillance as proposed by the Senate.

The conference agreement provides $500,000 for hazing programs to manage cormorants in central New York watersheds instead of $1,000,000 as proposed by the House.

The conference agreement provides $1,200,000 for wolf predation management, of which $1,050,000 is for Wisconsin, Minnesota, and Michigan, and $150,000 is for New Mexico and Arizona.

The conference agreement provides $1,000,000 for a cooperative agreement with Miami-Dade County, FL, to assist in mosquito control efforts.

The conference agreement provides $50,000 to be used to assist Missouri in eradicating feral hogs.

The conference agreement provides $250,000 for beaver management and control in North Carolina.

The conference agreement provides $1,300,000 for predator control programs in Montana, Idaho, and Wyoming instead of $1,500,000 as proposed by the House.

The conference agreement provides $200,000 to establish a Wildlife Services State Office in Pennsylvania as proposed by the Senate.

The conference agreement provides $400,000 to assist the Nevada Division of Wildlife with returning displaced wildlife back to its natural habitat instead of $500,000 as proposed by the Senate.

The conference agreement provides $300,000 for a cooperative agreement with the Eastern Idaho Sandhill Crane Lure Crop Project as proposed by the Senate.

The conference agreement provides an increase of $800,000 for animal welfare activities, as proposed by the Senate.

The conference agreement provides an increase of $250,000 to enhance existing research efforts at the National Wildlife Research Center field station in Starkville, Mississippi instead of $300,000 as proposed by the Senate.

The conference agreement provides $600,000 to expand the existing program at the Jack Berryman Institute and facilitate a cooperative relationship with the Mississippi Agriculture and Forestry Experiment Station instead of $700,000 as proposed by the Senate.

The conference agreement provides $700,000 for maintenance and operations necessary to support wildlife methods development at the National Wildlife Research Center in Ft. Collins, CO, as proposed by the Senate.

The conferees are aware of outbreaks in Texas of Avian Influenza in poultry during 2002 and expect APHIS to provide assistance to egg producers who have depopulated their flocks.

The conferees are concerned about USDA's response to the outbreak and spread of chronic wasting disease in states east of the Mississippi River and believe that USDA needs to do much more to expand laboratory testing capacity in order to help states get control of the problem. The conferees expect USDA to expand testing capacity by developing appropriate protocols with laboratories that are capable of doing the testing and by providing the necessary resources for laboratories to conduct rapid testing.

BUILDINGS AND FACILITIES

The conference agreement provides $9,989,000 for Animal and Plant Health Inspection Service Buildings and Facilities instead of $13,189,000 as proposed by both the House and Senate.

The conference agreement includes funds for all budgeted items except Plum Island.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

The conference agreement provides $75,702,000 for the Agricultural Marketing Service as proposed by the House instead of $75,411,000 as proposed by the Senate.

The conference agreement includes a total of $15,759,000 for the pesticide data program of which not less than $1,000,000 shall be added to the existing funding for the drinking water initiative.

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement provides $61,619,000 as proposed by both the House and Senate.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

The conference agreement provides $14,910,000 for Funds for Strengthening Markets, Income, and Supply as proposed by both the House and Senate.

PAYMENTS TO STATES AND POSSESSIONS

The conference agreement appropriates $1,347,000 for Payments to States and Possessions as proposed by the House and Senate.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $39,950,000 for the Grain Inspection, Packers and Stockyards Administration instead of $44,746,000 as proposed by the House and $44,475,000 as proposed by the Senate.

The conference agreement includes $4,500,000, to remain available until expended, for a study on the issues surrounding a ban on packer ownership. The conferees direct the Secretary to report the findings within 24 months of enactment.

The conference agreement includes $500,000, as proposed by the House, to establish a cooperative relationship with the Missouri, Iowa, and Illinois Corn Growers Associations to conduct a pilot program for development of production protocols.

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

The conference agreement provides $42,463,000 as proposed by the House and Senate.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

The conference agreement provides $603,000 for the Office of the Under Secretary for Food Safety as proposed by the House instead of $780,000 as proposed by the Senate.

FOOD SAFETY AND INSPECTION SERVICE

The conference agreement provides $759,759,000 for the Food Safety and Inspection Service, as proposed by the Senate, instead of $755,793,000 as proposed by the House. The conferees direct that no less than $649,802,000 of the total is for Federal food safety inspection, as proposed by the Senate, instead of $679,097,000 for Federal food safety and inspection, as proposed by the House. The conference agreement fully funds the budget request.

The conference agreement includes $5,000,000 to remain available through fiscal year 2004, to hire no fewer than 50 FTEs for enforcement of the Humane Methods of Slaughter Act (HMSA) through full-time ante-mortem inspection, particularly unloading, handling, stunning, and killing of animals at slaughter plants. The conferees also support the ongoing activities of the 17 District Veterinary Medical Specialists and expect that their mission be limited to HMSA enforcement. Further, the conferees also direct the General Accounting Office to review and report to the Appropriations Committees by July 1, 2003, on the scope and frequency of HMSA violations, and provide recommendations on the extent to which additional resources for inspection personnel, training, and other agency functions are needed to properly regulate slaughter facilities in the area of HMSA enforcement.

The conference agreement includes the following amounts.

Food Safety and Inspection Service, funding by activity

(In thousands of dollars)

Food Safety Inspection:	
Federal	679,502
State	49,702
International	16,110
Codex Alimentarius	2,573
FAIM	11,872
Total	759,759
Federal Food Inspection	649,082
Import/Export Inspection	12,767
Laboratory Services	38,440
FAIM	8,005
Grants to States	43,672
Special Assistance to State Programs	5,220
Codex Alimentarius	2,573
Total	759,759

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

The conference agreement provides $622,000 for the Office of the Under Secretary for Farm and Foreign Agricultural Services as proposed by the House instead of $899,000 as proposed by the Senate.

The conferees are concerned that little progress has been made in implementing Sec. 3013 of P.L. 107–171 and direct the Under Secretary to take action to implement this provision as soon as possible this fiscal year.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement provides $976,738,000 for the Farm Service Agency as proposed by the House instead of $986,913,000 as proposed by the Senate.

STATE MEDIATION GRANTS

The conference agreement provides $4,000,000 for State Mediation Grants, as proposed by both the House and Senate.

DAIRY INDEMNITY PROGRAM

The conference agreement provides $100,000 for the Dairy Indemnity Program, as proposed by both the House and the Senate.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

The following table reflects the conference agreement:

Farm Ownership Loans:	
Direct	($130,000,000)
Subsidy	$15,093,000
Guaranteed	($1,000,000,000)
Subsidy	$7,500,000
Farm Operating Loans:	
Direct	($605,000,000)
Subsidy	$104,423,000
Unsubsidized guaranteed	($1,700,000,000)
Subsidy	$53,890,000
Subsidized guaranteed	($400,000,000)
Subsidy	$47,200,000
Indian tribe land acquisition	($2,000,000)
Subsidy	$179,000
Boll weevil eradication	($100,000,000)
Subsidy	$0
ACIF expenses:	
Salaries and expenses (transfer to FSA)	$279,176,000
Administrative expenses	$8,000,000

RISK MANAGEMENT AGENCY

The conference agreement provides $70,708,000 for the Risk Management Agency as proposed by the Senate instead of $70,726,000 as proposed by the House.

CORPORATIONS

FEDERAL CROP INSURANCE CORPORATION FUND

The conference agreement provides an appropriation of such sums as may be necessary for the Federal Crop Insurance Corporation Fund (estimated to be $2,886,000,000 in the President's fiscal year 2003 Budget Request), as proposed by both the House and Senate.

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

The conference agreement provides an appropriation of such sums as may be necessary for Reimbursement for Net Realized Losses of the Commodity Credit Corporation (estimated to be $16,285,000,000 in the President's fiscal year 2003 Budget Request), as proposed by both the House and Senate.

HAZARDOUS WASTE MANAGEMENT

(LIMITATION ON EXPENSES)

The conference agreement provides a limitation of $5,000,000 for Hazardous Waste Management, as proposed by both the House and Senate.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

The conference agreement provides $750,000 for the Office of the Under Secretary for Natural Resources and Environment as proposed by the House instead of $902,000 as proposed by the Senate.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

The conference agreement provides $825,004,000 for Conservation Operations instead of $843,553,000 as proposed by the House and $840,002,000 as proposed by the Senate.

The conference agreement includes Senate bill language that prohibits funds in this account from being used to provide technical assistance for farm bill programs.

The conference agreement provides $23,500,000 for the grazing lands conservation initiative as proposed by the Senate instead of $21,500,000 as proposed by the House.

The conferees direct NRCS to treat Congressional earmarks as additions to the States' funding allocation.

Projects identified in House Report 107–275, House Report 107–623, Senate Report 107–223, and those identified on pages S384–S386 of the Congressional Record of January 15, 2003 that were directed to be funded for fiscal year 2003 are not funded in fiscal year 2003, unless specifically mentioned herein: Sand Mountain Water Quality Project (AL)—$200,000; Central AL/Birmingham Water Quality Conservation Initiative—$150,000; Update and digitize soil surveys in north Alabama—$250,000; obtain and evaluate materials for cold region seeds of plants in conjunction w/ Alaska Division of Agriculture—$350,000; Native Plant Materials (AK) (evaluating and developing)—$350,000; Kenai Streambank Restoration (AK) water project—$450,000; Natural resources/rural assistance activities/SWCD (AK)—$1,500,000; Juneau and Glennallen (AK) Offices—$250,000; Staff for each SWCD Public Info and assistance in rural AK—$500,000; Kodiak and Dillingham (AK) offices—$500,000; Seward/Resurrection River (AK) watershed project technical assistance—$1,000,000; Harding Lake (AK)—$300,000; Southwest Strategy (AZ/NM)—$150,000; National Water Management Center (AR)—$2,750,000; Little Red River Irrigation Project—$375,000; Walnut Bayou (AR) Irrigation Project—$300,000; Contra Costa County (CA) Watershed Surveys—$375,000; East Valley Conservation District/Santa Ana Watershed Authority (CA) Plant Removal—$1,000,000; Agricultural Nonpoint source water quality—San Luis Obispo County (CA) Farm Bureau—$84,000; Monterey Bay Sanctuary—$600,000; Expand cooperative efforts with Delaware State for plant materials—$290,000; Pilot projects for technology systems resulting in nutrient reduction (FL/NC)—$3,000,000; Manatee (FL) Agriculture Reuse System—$2,000,000; Lake Okeechobee (FL) Watershed project planning—$500,000; Georgia Soil and Water Conservation Commission Cooperative Agreement—$2,100,000; Georgia Agricultural Water Conservation Initiative—$1,500,000; PMC for Native Plants to clean up the Island of Kahoolawe (HI)—$120,000; Molokai (HI) Agriculture Community Committee—$250,000; Idaho One Plan (ID)—$200,000; Little Wood River (ID) Irrigation District delivery system—$1,750,000; Conversion to sprinkler irrigation (ID)—$1,000,000; Trees Forever Program (IL)—$100,000; Embrass River/Shad Lake (IL)—technical assistance; Illinois River Basin—EQIP; Waynewood (IL) drainage project—$400,000; Hungry Canyon/Loess Hills Erosion Control/Western Iowa—$1,200,000; Trees Forever Program (IA)—$100,000; CEMSA with Iowa Soybean Association—$300,000; Soil erosion control cost-share program/soil survey program (KY)—$3,000,000; Environmental study/geological investigation—Rockhouse Creek-Leslie (KY)—$200,000; Knott County (KY) technical assistance—$250,000; Boone County (KY) conservation projects—$300,000; Kenton County (KY) flood prevention—$250,000; Technical assistance to provide grants to Soil Conservation Districts—$800,000; Dairy waste remediation—Lake Ponchartrain (LA) Basin—$100,000; Lincoln Parish (LA) stormwater/conservation management program—$650,000; St. John the Baptist Parish (LA) Lakes bank retention project—$450,000; False River (LA) sedimentation project—$150,000; Chesapeake Bay activities—$6,000,000; Conservation related to cranberry production (MA/WI)—$600,000; Weed It Now—Taconic Mountains (MA/NY/CT)—$200,000; Great Lakes pilot program for conservation—$500,000; Franklin County (MS) Lake technical assistance—$1,500,000; Mississippi Delta Water Resources Study—$750,000; continuation of Sharkey (MS) soil classification pilot project; Squirrel Branch Drainage Project (MS)—$250,000; Delta Conservation Demonstration Center, Washington County (MS)—$1,425,000; Soil erosion with Alcorn State (MS)—$175,000; Cattle and nutrient management in stream crossings (MS)—$1,000,000; Choctaw County (MS) feasability study for surface impoundment—$100,000; Jamie Whitten PMC—$275,000; Wildlife Habitat Management Institute (MS)—$6,459,000; Humphrey's County (MS) Hospital flood protection—$400,000; Drainage improvements, Petal (MS)—$500,000; Drainage improvements on Watkins Drive, Jackson (MS)—$100,000; Drainage improvements, Port Gibson (MS)—$300,000; Drainage improvements, Mount Olive (MS)—$150,000; Drainage improvements, Meridian (MS)—$500,000; Rankin County (MS)—$300,000; Establish Upper White River Water Quality Project Office in southern Missouri $355,000; Jefferson River (MT) watershed $400,000; Watershed planning project (MT)—$1,500,000; Lake Tahoe Basin Soil Conservation Project (NV/CA)—$400,000; Lake Tahoe Basin area soil survey (NV/CA)—$200,000; State conservation cost share program (NJ)—$900,000; Westchester County (NY) SWCD—$350,000; Pastureland Management/Rotational Grazing (NY)—$500,000; Best management practices/Skaneateles and Owasco Watersheds (NY)—$250,000; Address non-point pollution in Onondaga Lake Watershed (NY)—$250,000; Beaver Swamp Brook project (NY) implementation and environmental restoration—$300,000; Phase II/Watershed Agriculture Council in Walton (NY)—$650,000; Technical assistance to livestock/poultry industry (NC)—$500,000; Red River Flood Prevention/Energy and Environmental Research Center (ND)—$1,500,000; Maumee Watershed Hydrological Study and Flood Mitigation Plan (OH)—$1,000,000; Oregon Garden, Silverton (OR)—$325,000; Cooperative agreement with Marion County (OR) for native seed project $50,000; Increased technical assistance (OR)—$1,000,000; Address drought-related issues (RI)—$150,000; GIS-based model to integrate commodity and conservation (SC)—$800,000; Study to characterize land use change while preserving natural resources in cooperation with Clemson University (SC)—$800,000; Bexar, Medina, Uvalde Counties irrigation in Edwards Aquifer (TX)—$500,000; Field office telecommunications pilot program/advanced soil survey methods (TX)—$1,500,000; Leon River restoration project (TX)—$500,000; Range vegetation pilot project, Ft. Hood (TX)—$500,000; AFO/CAFO Pilot Project (UT)—$250,000; Dry Creek/Neff's Grove project (UT)—$300,000; Reduce phosphorus loading into Lake Champlain (VT)—$300,000; Walla Walla (WA) watershed alliance—$500,000; Design/implement natural stream restoration initiatives (WV)—$500,000; Soil survey geographic database in the Mid-Atlantic Highlands (WV)—$200,000; Poultry Litter Composting (WV)—$160,000; Potomac and Ohio River Basin Soil Nutrient Project (WV)—$300,000; Appalachian Small Farmer Outreach Program (WV)—$860,000; Potomac Headwaters (WV)—$550,000; Grazing Lands Initiative/Wisconsin Department of Agriculture—$550,000; Global Environment Management Education Center at Stevens Point (WI)—$2,000,000; Examine benefits of using vegetative buffers with the University of Wisconsin-Madison—$500,000; Conservation land internship program (WI)—$120,000; Study benefits of using nutrient management plans with the University of Wisconsin-Madison—$500,000; Soil survey mapping project (WY)—$300,000; Audubon at Home Pilot Program—$500,000; Great Lakes Basin Program for Soil and Erosion Sediment—$2,500,000; Watershed management demo program/NPPC—$600,000; National Fish and Wildlife Foundation Partnerships—$3,000,000; and, source water protection project, as a reimbursable agreement with Farm Service Agency, to States that show the greatest need—$1,000,000.

The conferees direct the agency to maintain a national priority area under the guidelines of the Environmental Quality Incentives Program in the Delta of the State of Mississippi.

The conference agreement includes $500,000 to the Walla Walla (WA) Watershed Alliance to partner with the NRCS and assist watershed planning entities in the development of Comprehensive Irrigation District Management Plans by engaging irrigators, landowners, and other stakeholders in the watershed initiative; developing and demonstrating model farm and land management plans; and monitoring results.

The conference agreement provides $3,000,000 for the continued implementation for innovative technology systems to be managed by Farm Pilot Project Coordination, Inc. as proposed by the House. The Secretary is directed to release these funds after submitting a report that a satisfactory cooperative agreement between the NRCS and Farm Pilot Project Coordination, Inc. has been consummated. The conference agreement does not include $150,000 for this activity as proposed by the Senate.

WATERSHED SURVEYS AND PLANNING

The conference agreement provides $11,197,000 for Watershed Surveys and Planning as proposed by the House instead $10,960,000 as proposed by the Senate.

WATERSHED AND FLOOD PREVENTION OPERATIONS

The conference agreement provides $110,000,000 for Watershed and Flood Prevention Operations as proposed by the House instead of $105,000,000 as proposed by the Senate.

The conferees expect the Department to give consideration for financial and technical assistance to the following: Upper Petit Jean (AR); Askalmore dam (MS); and Attoyac Bayou (TX).

WATERSHED REHABILITATION PROGRAM

The conference agreement provides $30,000,000 for the Watershed Rehabilitation Program as proposed by the Senate. The House bill contained no such provision.

The conferees direct that funding be provided for rehabilitation of structures determined to be of high priority need as proposed by the Senate.

RESOURCE CONSERVATION AND DEVELOPMENT

The conference agreement provides $51,000,000 for Resource Conservation and Development instead of $55,079,000 as proposed by the House and $50,000,000 as proposed by the Senate.

TITLE III

RURAL DEVELOPMENT PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR RURAL DEVELOPMENT

The conference agreement provides $640,000 for the Office of the Under Secretary for Rural Development as proposed by the House instead of $898,000 as proposed by the Senate.

The conferees encourage the Secretary to consider a commercial off-the-shelf automated collateral management system for loan origination and servicing to prevent fraudulent practices including losses associated with inflated appraisals.

The conference agreement does not include $200,000 as proposed by the House for a National Groundwater Association study. The conference agreement includes $200,000 for the National Groundwater Association to fund a pilot program involving inspector training and certification relative to proper well construction, maintenance, sampling and ensuring the overall safety of private wells in rural areas.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $907,737,000 for the Rural Community Advancement Program (RCAP) instead of $950,298,000 as proposed by the House and $867,176,000 as proposed by the Senate.

The conference agreement adopts Senate language providing $30,000,000 for rural and native villages in Alaska.

The conference agreement provides $18,333,000 for technical assistance grants for rural water and waste systems.

The conferees provide bill language that of the funds provided for technical assistance for rural water and waste systems, $5,513,000 be designated for Rural Community Assistance Programs.

The conference agreement adopts language setting aside $12,100,000 for the circuit rider program.

The conference agreement adopts Senate language setting aside $25,000,000 for facilities in rural communities with extreme unemployment and severe economic depression.

The conference agreement adopts Senate language setting aside $30,000,000 for grants in rural communities with extremely high-energy costs.

The conferees provide $1,000,000 to carry out a demonstration program on replicating and creating cooperatives for home based health care and expect the Department to provide this service to historically under served communities.

The following table indicates the distribution of funding for the RCAP:

Community Facilities	$96,800,000
Business-Cooperative Development	87,720,000
Water and Waste	723,217,000
Total	907,737,000
Earmarks:	
Federally Recognized Native American Tribes	24,000,000
Rural Community Development Initiative	7,000,000
Technical Assistance for Rural Transportation	250,000
Delta Regional Authority	2,000,000
Colonias	25,000,000
Alaska Villages	30,000,000
Technical Assistance	18,333,000
Circuit Rider	12,100,000
EZ/EC and REAP	37,624,000
Economic impact initiative grants	25,000,000
High energy costs grants	30,000,000
CF Grant Tribal Colleges	4,000,000
Rural Health Cooperatives	1,000,000
RCAP	5,513,000

The conferees expect the Department to give consideration to the following entities for RCAP grants and/or loans: the University of New Orleans for wetland aquatic plants; Berkeley County (WV) Public Service Water District Project; rural cooperative development grant for peanut marketing cooperatives; distance learning and telemedicine broadband grant from the Mississippi Economic Growth Alliance and Point of Presence, Inc.; water and waste disposal loan and grant for the City of Oxford (MS); rural business enterprise grant for Bosque (TX); and Delaware Bay and River Authority (NJ).

RURAL DEVELOPMENT SALARIES AND EXPENSES

The conference agreement provides $145,736,000 for Rural Development Salaries and Expenses as proposed by the House instead of $127,502,000 as proposed by the Senate.

RURAL HOUSING SERVICE

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $305,517,000 for activities under the Rural Housing Insurance Fund Program Account instead of $303,567,000 as proposed by the House and $282,523,000 as proposed by the Senate. The conference agreement provides for an estimated loan program level of $5,844,862,000 instead of $4,551,457,000 as proposed by the House and $3,932,173,000 as proposed by the Senate.

The conference agreement provides for a transfer of $432,374,000 to salaries and expenses instead of $434,980,000 as proposed by the House and $455,630,000 as proposed by the Senate.

The conference agreement adopts Senate bill language regarding how Section 515 program funds may be used.

The conference agreement adopts House bill language regarding funding for the Section 515 program.

The conference agreement adopts Senate bill language regarding the 502 unsubsidized guaranteed program.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Housing Insurance Fund Program Account:

Loan authorizations:	
Single family (sec. 502)	($1,044,000,000)
Unsubsidized guaranteed	(4,528,000,000)
Rental housing (sec. 515)	(115,805,000)
Multi-family housing guar(sec. 538)	(100,000,000)
Housing repair (sec. 504)	(35,000,000)
Credit sales of acquired property	(12,000,000)
Site loans (sec. 524)	(5,046,000)
Self-help housing land development fund	(5,011,000)
Total, Loan authorizations	(5,844,862,000)
Loan subsidies:	
Single family (sec. 502)	202,350,000
Unsubsidized guaranteed	32,600,000
Rental housing (sec. 515)	54,000,000
Multi-family housing guar. (sec. 538)	4,500,000
Housing repair (sec. 504)	10,857,000
Credit sales of acquired property	934,000
Site loans (sec. 524)	55,000
Self-help housing land development fund	221,000
Total, Loan subsidies	305,517,000
RHIF administration expenses (transfer to RD)	432,374,000

RENTAL ASSISTANCE PROGRAM

The conference agreement provides $726,000,000 for the Rental Assistance Program instead of $722,000,000 as proposed by the House and $730,000,000 as proposed by the Senate.

MUTUAL AND SELF-HELP HOUSING GRANTS

The conference agreement provides $35,000,000 for Mutual and Self-Help Housing Grants as proposed by the House and Senate.

RURAL HOUSING ASSISTANCE GRANTS

The conference agreement provides $42,498,000 for Rural Housing Assistance Grants as proposed by the House instead of $47,498,000 as proposed by the Senate.

The conference agreement does not adopt Senate bill language regarding Demonstration Housing Grants.

FARM LABOR PROGRAM ACCOUNT

The conference agreement provides $36,307,000 for the Farm Labor Program Account instead of $38,000,000 as proposed by the House and $34,615,000 as proposed by the Senate.

The conference agreement provides $17,647,000 for loan subsidies, and $18,661,000 for grants of which $15,578,000 is for farm labor housing grants and $3,082,000 is for grants for migrant and seasonal farm workers.

RURAL BUSINESS—COOPERATIVE SERVICE

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

The conference agreement provides $40,000,000, the same as proposed by both the House and Senate.

The conference agreement adopts House language providing for a transfer of $4,190,000 to salaries and expenses instead of $4,290,000 as proposed by the Senate.

RURAL COOPERATIVE DEVELOPMENT GRANTS

The conference agreement provides $9,000,000 for Rural Cooperative Development Grants, the same as proposed by both the House and Senate.

The conference agreement adopts Senate language for 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

The conference agreement provides $14,967,000 for Rural Empowerment Zones and Enterprise Communities Grants as proposed by the House and Senate.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELECOMMUNICATIONS LOANS PROGRAM ACCOUNT

The conference agreement provides a total subsidy of $12,458,000 for activities under the Rural Electrification and Telecommunications Loans Program Account. The conference agreement provides for an estimated loan program level of $5,566,132,000 as proposed by the Senate instead of $4,516,136,000 as proposed by the House.

The conference agreement adopts Senate bill language that provides guaranteed underwriting loans.

The conference agreement adopts House language providing for a transfer of $37,833,000 to salaries and expenses instead of $38,035,000 as proposed by the Senate.

The following table indicates loan and subsidy levels provided in the conference agreement:

Rural Electrification and Telecommunications Loans Program Account:

Loan authorizations:	
Electric:	
Direct, 5 percent	($121,103,000)
Direct, Muni	(100,000,000)
Direct, FFB	(2,600,000,000)
Direct, Treasury rate	(1,150,000,000)
Guaranteed	(100,000,000)
Guaranteed underwriting	(1,000,000,000)
Subtotal	(5,071,103,000)
Telecommunications:	
Direct, 5 percent	(75,029,000)
Direct, Treasury rate	(300,000,000)
Direct, FFB	(120,000,000)

Subtotal	(495,029,000)
Total, loan authorizations	(5,566,132,000)
Loan subsidies:	
Electric:	
Direct, 5 percent	6,915,000
Direct, Muni	4,030,000
Guaranteed	80,000
Subtotal	11,025,000
Telecommunications:	
Direct, 5 percent	1,283,000
Direct, Treasury rate	150,000
Subtotal	1,433,000
Total, loan subsidies	12,458,000
RETLP administrative expenses (transfer to RD)	37,833,000

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The conference agreement provides $174,615,000 for the Rural Telephone Bank Program Account as proposed by the Senate instead of $174,638,000 as proposed by the House.

The conference agreement provides for a transfer of $3,082,000 to salaries and expenses as proposed by the House and Senate.

DISTANCE LEARNING AND TELEMEDICINE PROGRAM

The conference agreement provides $56,941,000 for the Distance Learning and Telemedicine Program instead of $44,128,000 as proposed by the House and $51,941,000 as proposed by the Senate.

The conference agreement provides for an estimated loan program level of $300,000,000 for distance learning and telemedicine and $80,000,000 for broadband telecommunications.

The conference agreement provides $10,000,000 in grants to support broadband transmission and local dial-up Internet services for rural areas as proposed by the Senate.

The conference agreement provides $42,813,000 for distance learning and telemedicine grants and grants for translators to broadcast digital signals.

TITLE IV

DOMESTIC FOOD PROGRAMS

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

The conference agreement provides $603,000 for the Office of the Under Secretary for Food, Nutrition and Consumer Services as proposed by the House instead of $774,000 as proposed by the Senate.

The conference agreement includes $125,000,000 for a contingency fund for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), as proposed by the Senate, instead of $150,000,000 as proposed by the House.

FOOD AND NUTRITION SERVICE

CHILD NUTRITION PROGRAMS

The conference agreement provides $10,580,169,000 for Child Nutrition Programs as proposed by the Senate instead of $10,576,169,000 as proposed by the House.

Included in this amount is an appropriated amount of $5,834,506,000 and a transfer from section 32 of $4,745,663,000. Within the appropriated amount, the conferees provide $3,300,000 for a school breakfast pilot program, of which no less than $1,000,000 is for Wisconsin, as proposed by the Senate. The House had no similar provision. The conferees note that of the appropriated funds provided in the Child Nutrition Programs $200,000 for one-time costs is to be directed to the Common Roots Program, as proposed by the Senate. The House had no similar provision. The conferees provide $500,000, as proposed by the Senate, for one-time costs associated with the establishment of the Child Nutrition Archive Resource Center at the National Food Service Management Institute. The House had no similar provision.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations as proposed by the House. The Senate had no similar provision. The conference agreement does not include language regarding limits on and transfers of funds for studies and evaluations, as proposed by the Senate.

The conference agreement includes a general provision to expand the number of low-income children in child care centers who receive meals through the Child and Adult Care Feeding Program, as proposed by the Senate. The House had no similar provision.

The conference agreement provides the following for Child Nutrition programs:

TOTAL OBLIGATIONAL AUTHORITY

Child Nutrition Programs:	
School lunch program	$6,074,648,000
School breakfast program	1,660,870,000
Child and adult care food program	1,904,494,000
Summer food service program	334,686,000
Special milk program	16,449,000
State administrative expenses	133,583,000
Commodity procurement and computer support	435,334,000
School meals initiative/Team nutrition	10,025,000
Coordinated review effort	5,080,000
Food safety education	1,000,000
School breakfast pilot project	3,300,000
Common Roots Program	200,000
Child Nutrition Archive Center	500,000
Total	$10,580,169,000

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

The conference agreement provides $4,696,000,000 for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) instead of $4,776,000,000 as proposed by the House and $4,751,000,000 as proposed by the Senate. Of the total, the conference agreement provides $125,000,000 for a reserve account, to remain available until expended, as proposed by the Senate, instead of $150,000,000, available through fiscal year 2004, as proposed by the House.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations, except as specifically provided, as proposed by the House. The Senate had no similar provision. The conference agreement does not include language regarding limits on and transfers of funds for studies and evaluations, as proposed by the Senate.

The conferees provide $25,000,000 for the farmers' market nutrition program, as proposed by the both the House and Senate, but do not direct that the funds be obligated within 45 days in bill language, as proposed by the Senate. The conferees strongly urge the Secretary to make these funds available as soon as possible after enactment.

The conference agreement provides $2,000,000 for the evaluation of WIC vendor practices, as proposed by the House and Senate.

FOOD STAMP PROGRAM

The conference agreement provides $26,313,692,000 for the food stamp program as proposed by the House instead of $26,289,692,000 as proposed by the Senate. Included in this amount is a reserve of $2,000,000,000.

The conference agreement includes a provision prohibiting use of funds for studies and evaluations as proposed by the House. The Senate had no similar provision. The conference agreement does not include language regarding limits on and transfers of funds for studies and evaluations, as proposed by the Senate.

The conference agreement includes a provision allowing for purchase of bison meat, in an amount not to exceed $3,000,000, for the Food Distribution Program on Indian Reservations (FDPIR), instead of not to exceed $4,000,000, as proposed by the Senate. The House had no similar provision.

COMMODITY ASSISTANCE PROGRAM

The conference agreement provides $164,500,000 for the Commodity Assistance Program, instead of $170,000,000, as proposed by the House, and $167,000,000 as proposed by the Senate. Included in that amount is $50,000,000 for administration of The Emergency Food Assistance Program (TEFAP), as proposed by the House, instead of $55,000,000 as proposed by the Senate. The conference agreement includes a general provision that provides the Secretary with authority to transfer up to $10,000,000 from TEFAP commodity purchase to administration, which includes processing, storage, transport and distribution.

The conferees provide $114,500,000 for the Commodity Supplemental Food Program, instead of $120,000,000, as proposed by the House, and $107,000,000 as proposed by the Senate.

The conference agreement does not include $5,000,000 for senior farmers' market activities, as proposed by the Senate. The House had no similar provision. The conferees note that the Department provides $15,000,000 for the senior farmers' market program through the Commodity Credit Corporation pursuant to P.L. 107–171.

The conference agreement does not include a provision on state requests related to the TEFAP program, as proposed by the Senate. The House had no similar provision.

FOOD DONATIONS PROGRAMS

The conference agreement provides $1,081,000 for Food Donations Programs, as proposed by the House and Senate. The conferees have acceded to the administration's proposal to transfer the Nutrition Services Incentives Program to the Department of Health and Human Services. The conferees expect these funds to be used only for meals, that they not be transferred to fund other activities and that state matching requirements will not be applied to the program. The conferees also expect that the ability of states to request commodities in lieu of cash will be retained.

FOOD PROGRAM ADMINISTRATION

The conference agreement provides $136,560,000 for Food Program Administration, instead of $134,397,000 as proposed by the House and $136,865,000 as proposed by the Senate. Included in this amount is not less than $7,500,000 to improve integrity in the Food Stamp Program and Child Nutrition Program, instead of $8,500,000 as proposed by the House and $11,000,000 as proposed by the Senate.

The conferees have provided a $3,195,000 increase for studies and evaluations to be carried out by the Department. The conferees direct the Department to report to the Committees on Appropriations on the studies and evaluations to be carried out. This information should include a comprehensive list of planned studies, including the intent and funding level of each study, and the time frame during which each study will be carried out. The conferees direct the agency to submit a summary of each study to the Committees on Appropriations when completed.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALARIES AND EXPENSES

The conference agreement provides $129,948,000 for the Foreign Agricultural Service instead of $129,964,000 as proposed by the House and $131,198,000 as proposed by the Senate.

The conference agreement provides $5,049,000 for E-Government, and an increase of $1,000,000 for the Cochran Fellowship Program.

PUBLIC LAW 480 TITLE I AND TITLE II PROGRAM AND GRANT ACCOUNTS

The conference agreement provides $116,171,000 for Title I loan subsidies for a loan level of $154,664,000 as proposed by the Senate.

The conference agreement provides $25,159,000 for Ocean Freight Differential as proposed by the Senate.

The conference agreement provides $1,200,000,000 for Public Law 480 Title II as proposed by the House instead of $1,185,000,000 as proposed by the Senate.

The conference agreement does not include House bill language that requires the Secretary to submit a plan on the use of $350,000,000 of Title II funds.

The following table reflects the conference agreement for Public Law 480 program accounts:

Public Law 480

Title 1—Program account:	
Loan authorization, direct	($154,664,000)
Loan subsidies	116,171,000
Ocean freight differential	25,159,000
Title II—Commodities for disposition abroad:	
Program level	(1,200,000,000)
Appropriation	1,200,000,000
Salaries and expenses:	
Foreign Agricultural Service (transfer to FAS)	1,033,000
Public Law 480—Continued	
Farm Service Agency (transfer to FSA)	1,026,000
Subtotal	2,059,000

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides total appropriations, including Prescription Drug User Fee Act and Medical Device User Fee Act collections, of $1,630,727,000 for the salaries and expenses of the Food and Drug Administration, instead of $1,599,602,000 as proposed by the House and $1,631,530,000 as proposed by the Senate, and provides specific amounts by FDA activity as reflected in the following table.

Program	Budget authority	Prescription drug user fees	Medical device user fees	Total
Foods	413,347,000			413,347,000
Human Drugs	278,067,000	148,604,000	0	426,671,000
Biologics	146,849,000	46,623,000	6,227,000	199,699,000
Animal Drugs and Feeds	88,972,000	0	0	88,972,000
Medical Devices	194,720,000	0	13,965,000	208,685,000
NCTR	40,688,000	0	0	40,688,000
Rent and Rent-related activities	36,498,000	0	416,000	36,914,000
Other Activities	84,685,000	19,871,000	2,926,000	107,482,000
Rental Payments to GSA	98,876,000	7,802,000	1,591,000	108,269,000
Net Appropriation	1,382,702,000	222,900,000	25,125,000	1,630,727,000

Resources for the field force of FDA, the Office of Regulatory Affairs, are included in the program amounts above, and total $474,315,000. Included are $264,235,000 for foods, $95,155,000 for human drugs, $30,060,000 for biologics, $31,097,000 for animal drugs and feeds, and $53,768,000 for devices. The conferees note that the agency has flexibility in using its field resources to respond to public health emergencies within the existing reprogramming requirements and expect the agency to use that flexibility when necessary.

The conference agreement provides the full budget authority requested for counter-terrorism activities, which is an increase of $152,276,000 over the regular fiscal year 2002 appropriation for a total of $159,048,000. The conference agreement provides increases of $5,000,000 for adverse event monitoring and reporting and $28,552,000 for pay cost increases as requested in the President's fiscal year 2003 budget.

The conference agreement makes $25,125,000 in new medical device user fees available for the agency, as proposed by the Senate. This provision was not in the House bill, since it preceded passage of the authorizing legislation. The conference agreement provides a budget authority increase of $15,199,000 for the device program, which includes $4,000,000 over the budget request, instead of an increase of $19,199,000, as proposed by the Senate, and $11,199,000 as proposed by the House. The device program total including user fees is $208,685,000, which represents a $29,164,000 increase over the fiscal year 2002 regular appropriation. The conference agreement also provides an increase of $6,227,000 in device user fees for the biologics program. The conferees expect that these substantial investments will significantly reduce application review times for medical devices.

The conference agreement funds the generic drugs program at $44,532,000, an increase of $5,332,000 over the fiscal year 2002 level, and expect the increase provided to be applied to meeting statutory timeframes for application review. The generics total includes $750,000 above the budget request, instead of $1,500,000 as proposed by the Senate and no increase above the request as proposed by the House. The conferees note that FDA should continue funding generic drug education activities at no less than $400,000 and expect increased consumer education in 2003.

The conference agreement makes $222,900,000 available to FDA for prescription drug user fees, a $61,184,000 increase over the amount available in fiscal year 2002. The conference agreement also makes mammography user fees and export certification user fees available to the agency.

The conferees do not approve the proposed transfer of the Offices of Public Affairs and Legislative Affairs out of the agency and include funding for those offices in the total provided for this account.

The conferees note the importance of continued support for the Office of Women's Health, and direct that no less than $3,000,000 be made available to that office. In addition, the conferees note that the Food and Drug Administration (FDA) has responded to the Women's Health Initiative (WHI) by recommending updated labeling for the entire class of hormone replacement therapy products. While the conferees believe that the FDA's action was an important step in the right direction, the Federal government needs to go even further in communicating clear and concise information to women and health professionals about hormone therapy. The conferees encourage the FDA to partner with medical professional and women's health groups, as well as other Federal agencies, to conduct a public awareness outreach campaign about the use of hormone therapy, including treatment of menopausal symptoms, which was not addressed in the WHI study.

The conferees provide an increase of $1,000,000 for the CFSAN Adverse Event Reporting System (CAERS), instead of no increase as proposed by the House and $2,000,000 as proposed by the Senate, for a total of $6,600,000. CAERS is designed to ensure prompt identification of and response to adverse health events related to foods, including dietary supplements.

The conference agreement also provides an increase of $250,000 for development of advanced test methods for foods at New Mexico State University, instead of no increase as proposed by the House and $503,000 as proposed by the Senate.

The conference agreement includes a total of $8,300,000 for the Unified Financial Management System, as proposed by both the House and Senate. The conferees note that any additional resources for this system are subject to notification and approval by the Committees on Appropriations.

The conferees direct that at least $2,100,000 of the funds appropriated for FDA activities be used in support of Codex Alimentarius activities, as proposed by the Senate.

The conferees are aware that the Department of Health and Human Services is currently working to ensure that health care providers and first responders are vaccinated in the event of a public health emergency. Recognizing that a small percentage of the population may have an allergic reaction to natural rubber, the conferees encourage the Secretary to ensure that alternatives are readily accessible to those individuals allergic to the gloves normally provided. Additionally, the conferees are aware that the FDA proposed regulations in 1999 to reclassify all surgeons' and patient examination gloves as Class II medical devices. The conferees encourage the FDA to finalize those regulations.

The conferees are aware that the FDA has not finalized its proposed rule to require manufacturer tracking of blood-derived products and prompt patient notification of adverse events, and request a report on the status of the rule by March 1, 2003.

The conferees are aware of concerns regarding the sale of turtles as pets. The occurrence of Salmonella is frequent in all reptiles sold as pets, yet the FDA has banned only the sale of turtles under a certain size. The conferees expect the agency to respond to citizen petitions on this topic promptly. The conferees expect a report by March 1, 2003, describing the current regulation, and the status of the agency's response to related citizen petitions.

The conferees believe that print advertisements for pharmaceuticals should present information relating to side effects, contraindications and the effectiveness of advertised pharmaceuticals in the format that is most useful to consumers consistent with existing law. The conferees are aware that FDA addressed the issue of requirements for print drug advertisements in an April 2001 draft guidance. The conferees encourage FDA to work with consumers and industry to revise this draft guidance as necessary and move towards its finalization.

The conferees are concerned with the number of reprogramming proposals submitted for consideration by the FDA, and would like to remind the Agency that reprogramming requests should be submitted only in the case of an unforeseeable emergency, or situation that could not have been predicted when formulating the budget request for the current fiscal year. Further, the conferees note that when an agency submits a reprogramming request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the agency to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming request unapproved.

BUILDINGS AND FACILITIES

The conference agreement includes $8,000,000 for buildings and facilities, as proposed by the House, instead of $11,000,000, as proposed by the Senate. The conference agreement fully funds the budget request.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

The conference agreement provides $85,985,000 for the Commodity Futures Trading Commission, instead of $79,884,000 as proposed by the House and $93,985,000 as proposed by the Senate. The total includes $8,815,000 for pay parity, as authorized in P.L. 107–171, and $700,000 for retention bonuses.

The conferees understand that the Commission has undertaken an investigation of Enron, its affiliates, and energy trading by other entities, which has required significant resources from the agency's enforcement program. The conferees further understand that the agency's enforcement staff has devoted the resources of 30 staff members (which is equivalent to 25 percent of the staff for the Division of Enforcement), interviewed or taken testimony from at least 170 individuals, and reviewed in excess of 2 million pages of documents. The conferees direct the Commission to provide a report on its activities in this area prior to the fiscal year 2004 appropriations hearings.

FARM CREDIT ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement includes a limitation of $38,400,000 on administrative expenses of the Farm Credit Administration (FCA), as proposed by the House, instead of $38,404,000, as proposed by the Senate.

The conferees recommend an increase in the limitation of FCA's administrative expenses to allow the FCA flexibility to deal with hiring and retention issues. This flexibility would allow the FCA Board to make adjustments to the budget, if necessary. The conferees understand that this action will not result in an increase in the amount of assessments on system institutions during the current fiscal year. The conferees request a report on the outcome of the FCA study related to hiring and retention needs, including the actual limitation amount necessary, the amount of carryover funds in FCA's reserve, and the change, if any, in the amount of the assessments on system institutions.

TITLE VII—GENERAL PROVISIONS

House and Senate Section 703.—The conference agreement deletes the old Section 703 authorizing research and service work under the Bankhead-Jones Act.

House Section 736.—The conference agreement (Section 703) authorizes employment pursuant to the Department of Agriculture Organic Act of 1944 and 5 U.S.C. 3109.

House and Senate Section 704.—The conference agreement (Section 704) retains the existing general provision regarding unobligated balance transfers to the Working Capital Fund.

House and Senate Section 705.—New obligational authority language.

House and Senate Section 713.—The conference agreement (Section 713) gives permanent authority to the Agricultural Marketing Service, the Grain Inspection, Packers and Stockyard Administration, the Animal and Plant Health Inspection Service, and the Food Safety & Inspection Service to use cooperative agreements, notwithstanding chapter 63 of title 31, United States Code.

House and Senate Section 720.—The conference agreement (Section 720) modifies Subsection (c) to include ''the Secretary of Agriculture, the Secretary of Health and Human Services, or the Chairman of the Commodity Futures Trading Commission.'' The conferees are seriously concerned by the growing frequency of departmental and agency initiatives for which the required prior notification to the Committees on Appropriations has not been provided. The conferees note the efficiencies which attach to the least possible statutory requirements and the benefits which accrue to the more flexible Congressional direction expressed in Committee reports. However, the continuing practice of reliance on Committee report language must be accompanied by departmental and agency compliance with Congressional directives. Section 720 of this Act, and similar language included in previous acts, provide detailed guidelines to the U.S. Department of Agriculture, the Food and Drug Administration, and the Commodity Futures Trading Commission for those activities that require prior notification to the Congress. Such notification was not provided in the recent release of Section 32 funds for the creation of a Livestock Compensation Program; the establishment of a Faith-Based and Community Initiatives Center; the improper use of Conservation Operations funds for the implementation of Farm Bill programs; and other similar violations of statutory reprogramming and prior notification requirements. The conferees expect full compliance with Section 720 in the areas of state office collocations, administrative and information technology convergence, and all other activities that fall within the scope of that section. The conferees also expect that no reprogramming of funds occur in the absence of an emergency or not as a consequence of unforeseen events. Further, the conferees note that when an agency submits a reprogramming request to the Committees on Appropriations and does not receive identical responses from the House and Senate, it is the responsibility of the agency to reconcile the House and Senate differences before proceeding, and if reconciliation is not possible, to consider the reprogramming request unapproved.

House and Senate Section 721.—The conference agreement (Section 721) does not include the date change as proposed by the House.

House and Senate Section 722.—The conference agreement (Section 722) does not include the date change as proposed by the House.

House and Senate Section 726.—The conference agreement (Section 726) provides $3,000,000 for Bill Emerson and Mickey Leland Hunger Fellowships.

House Section 728.—The conference agreement (Section 728) provides $26,499,000 for Section 375 (e)(6)(B) of the Consolidated Farm and Rural Development Act.

House Section 729 and 743, and Senate Section 732.—The conference agreement (Section 729) combines these sections and includes the cities of Coachella, CA, Dunkirk, NY, Starkville, MS, Shawnee, OK, and Berlin, New Hampshire.

House Section 730, 748, and 751.—The conference agreement (Section 730) considers the cities of Hollister, Salinas, and Watsonville, CA; Caldwell, ID; Casa Grande, AZ; Aberdeen, SD; and Vicksburg, MS, as meeting the requirements of a rural area in section 520 of the Housing Act of 1949.

House Section 731.—The conference agreement (Section 731) directs that watershed and flood prevention financial and technical assistance shall be provided to DuPage County, IL, Waynewood Drainage Improvement Project, not to exceed $1,600,000.

House Section 732.—The conference agreement (Section 732) adds language that allows any current Rural Utilities Service borrower within 100 miles of New York City to be eligible for additional financing, refinancing, collateral flexibility, and deferrals.

House Section 733.—The conference agreement does not include additional funding for payments of livestock losses to producers and deletes this section.

House Section 734—The conference agreement (Section 733) prohibits any transfer of funds appropriated in this Act except as authorized by this or any other appropriation Act.

Senate Section 729—The conference agreement (Section 734) prohibits the closure or relocation of the Food and Drug Administration Division of Pharmaceutical Analysis in St. Louis, Missouri, outside the city or county limits.

Senate Section 730.—The conference agreement does not include language that prohibits funding the salary of anyone violating the ''Buy America Act.''

Senate Section 731.—The conference agreement (Section 735) amends Section 17(a)(2)(B) of the Richard B. Russell National School Lund Act by striking ''2002'' and inserting ''2003''.

Senate Section 733.—The conference agreement does not provide funds for demonstration housing grants in Wisconsin.

Senate Section 734.—The conference agreement (Section 736) directs the Natural Resources Conservation Service to provide financial and technical assistance to Embarras River Basin, Lake County Watersheds, and DuPage County, Illinois, in a the Watershed and Flood Prevention Operations program.

Senate Section 735.—The conference agreement (Section 737) gives the Secretary authority to use up to 20 percent of the amount provided to carry out a competitive grants program under section 401 of the Agricultural Research, Extension, and Education Reform Act of 1998.

Senate Section 736.—The conference agreement (Section 738) provides watershed and flood prevention financial and technical assistance to the Upper Tygart Valley Watershed, to include 100 percent of the engineering assistance and 75 percent cost share for installation of water supply components.

Senate Section 737.—The conference agreement (Section 739) authorizes the Department of Agriculture to use any unobligated salaries and expenses funds to reimburse the Office of General Counsel for representing such agencies in the resolution of complaints by employees before the Equal Employment Opportunity Commission and other employment dispute agencies.

Senate Section 738.—The conference agreement (Section 740) prohibits the use of funds appropriated by this Act to pay the salaries of personnel to carry out section 14(h)(1) of the Watershed Protection and Flood Prevention Act.

Senate Section 739.—The conference agreement (Section 741) prohibits the use of funds appropriated by this Act to pay the salaries of personnel to carry out subtitle I of the Consolidated Farm and Rural Development Act.

Senate Section 740.—The conference agreement (Section 742) prohibits the use of funds appropriated by this Act to pay the salaries of personnel to carry out section 6405 of Public Law 107–171.

Senate Section 741.—The conference agreement (Section 743) prohibits the use of funds appropriated by this Act to pay the salaries

of personnel to carry out section 9010 of P.L. 107–171 that exceeds 77 percent of the payment that would otherwise be paid to eligible producers.

Senate Sections 742 and 743.—The conference agreement (Section 744) combines these sections and authorizes watershed and flood prevention operations financial and technical assistance for the Kuhn Bayou (Point Remove) project in AR, and the Matanuska River erosion control project in AK.

Senate Section 744.—The conference agreement (Section 745) amends the Food for Progress Act of 1985.

Senate Section 745.—The conference agreement (Section 746) rescinds $795,400 under the Cooperative State Research, Education, and Extension Service, Buildings and Facilities appropriation.

Senate Section 746.—The conference agreement (Section 747) prohibits funds in excess of $20,000,000 that have been appropriated in fiscal year 2003 or preceding years as authorized under the Agricultural Trade Development and Assistance Act of 1954, to be used to reimburse the Commodity Credit Corporation for the release of eligible commodities under the Bill Emerson Humanitarian Trust Act.

Senate Section 747.—The conference agreement (Section 748) authorizes financial and technical assistance to the Dry Creek/Neff's Grove project, UT, and the Jefferson River Watershed, MT.

Senate Section 748.—The conference agreement (Section 749) includes a provision regarding the Denali Commission.

Senate Section 749 and House Section 752.—The conference agreement (Section 750 rescinds $5,000,000 of experimental Rural Clean Water Program funds.

Senate Section 750.—The conference agreement (Section 751) includes language regarding Alaska's dairy and milk industry.

Senate Section 751.—The conference agreement does not authorize the transfer of funds from the Food and Nutrition Service to the Economic Research Service to conduct studies or evaluations.

Senate Section 752.—The conference agreement (Section 752) includes language regarding the Ogonowski farm.

Senate Section 753.—The conference agreement (Section 753) provides the Secretary of Agriculture with authority to authorize employees of the Department to carry and use firearms for personal protection while conducting field work in remote locations.

House Section 735 and Senate Section 754.—The conference agreement (Section 754) provides not more than $28,000,000 for the Export Enhancement Program in fiscal year 2003.

House Section 737.—The conference agreement does not include a general provision limiting the alteration and repair of buildings.

House Section 738.—The conference agreement does not include language regarding citrus canker. This matter is addressed in Division N of this conference agreement.

House Section 739.—The conference agreement does not include House Section 739 regarding the release of sensitive information. The Senate had no similar provision. The conferees fully expect that all departments and agencies for which funding is made available by this Act give careful scrutiny to the release of information in order to ensure adequate protections are maintained for all departmental and agency personnel. The conferees do not imply that there should be a disruption of routine agency reporting of program activities directed either through statute or agency practice, but that general safeguards should be in place to ensure security for all facilities and personnel.

House Section 740.—The conference agreement (Section 755) makes the municipality of Carolina, Puerto Rico, eligible for grants and loans of the Rural Utilities Service.

House Section 741.—The conference agreement (Section 756) includes language prohibiting the use of funds to carry out section 7404 of P.L. 107–171. This prohibition will allow the Department to conduct its assessment of a National Academy of Sciences study that was released on December 10, 2002. The conferees agree that any similar study must be thoroughly justified prior to any expenditure of funds.

House Section 742.—The conference agreement (Section 757) authorizes the Agricultural Marketing Service and the Grain Inspection, Packers and Stockyards Administration, to purchase interest-bearing investments outside of Treasury without posting them as obligations and outlays in the records of the agency as long as they are insured and/or collateralized.

House Section 744 and Senate Section 728.—The conference agreement (Section 758) provides up to $10,000,000 for costs associated with the distribution of commodities under the Food Stamp Act of 1977.

House Section 745.—The conference agreement (Section 759) includes the House provision regarding a Wetlands Reserve Acreage limitation.

House Section 746.—The conference agreement (Section 760) includes the House provision regarding an Environmental Quality Incentives Program limitation.

House Section 747.—The conference agreement does not include a Conservation Security Program limitation.

House Section 749.—The conference agreement does not include a general provision concerning the consolidation of the Food and Drug Administration Office of Public Affairs and Office of Legislation.

House Section 753.—The conference agreement does not include a limitation on contracts with corporations in tax haven countries.

Senate Section 755.—The conference agreement (Section 761) includes language regarding the Rural Electrification Administration loan program.

Senate Section 756.—The conference agreement does not include language regarding the restoration of fish, wildlife, and associated habitats in watersheds of certain lakes.

Senate Section 757.—The conference agreement (Section 762) provides $250,000,000 for assistance for emergency relief activities and makes the funds available through September 30, 2004.

Senate Section 758.—The conference agreement (Section 763) includes language regarding oilseeds.

Senate Section 759.—The conference agreement (Section 764) amends section 524 of the Federal Crop Insurance Act by changing ''may'' to ''shall'' in regards to a grant to the Northeast Center for Food Entrepreneurship at the University of Vermont.

Senate Section 760 and House Section 750.—The conference agreement (Section 765) includes language regarding the Agricultural Adjustment Act of 1938.

Senate Section 761.—The conference agreement does not include language expressing the Sense of the Senate regarding conservation technical assistance. The House had no similar provision. The conferees very strongly concur with an opinion issued by the General Accounting Office (GAO) on October 8, 2002, that conservation technical assistance for a number of Farm Bill conservation programs should be provided from funds of the Commodity Credit Corporation and that use of Conservation Operations appropriations for that purpose is contrary to law. Elsewhere in this Act, language is provided consistent with the legal finding of the GAO on this issue. The conferees direct the Administration to reconsider immediately its position in order to prevent USDA from being responsible for making impossible the delivery of conservation programs necessary for protection of this nation's natural resources.

Senate Section 762.—The conference agreement (Section 766) extends the time period for certain Rural Housing Service funds.

Senate Section 763.—The conference agreement includes language (Section 767) relating to corn acreage.

Senate Section 764.—The conference agreement does not include Senate section 764 expressing the Sense of the Senate regarding international humanitarian food assistance. The conferees note the worsening conditions in many nations where adverse weather, social upheaval, warfare, and other causes have placed millions of people in dire threat of starvation. In addition, increased commodity prices have further strained the resources for food aid made available through direct appropriations. The conferees direct the Secretary of Agriculture to give immediate attention to the growing risk and reality of this global tragedy, as witnessed in Africa and other continents, and make use of existing authorities of the Commodity Credit Corporation to assist in food assistance to those areas. In addition, the Secretary should consult with the President on the need to submit an emergency supplemental request to the Congress to make additional resources available for this purpose.

Senate Section 765.—The conference agreement does not include language on the sale of milk into California.

The conference agreement (Section 768) rescinds $11,000,000 of fiscal year 2002 and prior year funds out of section 523(b)(1)(A) of the Housing Act of 1949.

The conference agreement (Section 769) provides that the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) shall be exempt from the across-the-board rescission under section 601 of division N.

The conference agreement (Section 770) includes language regarding grain warehouses.

The conference agreement (Section 771) includes language regarding organic standards for meat.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligations) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$73,078,443
Budget estimates of new (obligational) authority, fiscal year 2003	73,530,527
House bill, fiscal year 2003	74,263,068
Senate bill, fiscal year 2003	74,701,068
Conference agreement, fiscal year 2003	74,391,068
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	+1,312,625
Budget estimates of new (obligational) authority, fiscal year 2003	+860,541
House bill, fiscal year 2003	+128,000
Senate bill, fiscal year 2003	−310,000

DIVISION B—COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 2003

TITLE I

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement recommends a total of $100,579,000 for General Administration for fiscal year 2003. This account supports the development of policy objectives and the overall management of the Department of Justice. The recommendation provides inflationary adjustments to maintain the current operating level in fiscal year 2003, and includes an increase of $2,000,000 as requested for the Office of Intelligence Policy and Review (OIPR) to address the increase in Foreign Intelligence Surveillance Act (FISA) requests. The conferees expect OIPR to provide quarterly briefings to the Committees on Appropriations beginning April 1, 2003 on FISA-related activities, issues, and compliance with Congressional directives. The conferees expect that of the funding being transferred to the Department of Homeland Security from General Administration, that $3,000,000 shall be used for the chemical plant vulnerability assessments as authorized under Public Law 106–40.

The conferees direct the Justice Department to submit a report to the Committees on Appropriations by June 27, 2003 assessing physical security needs of all domestic and foreign installations. The conferees also direct the Attorney General to submit a report to the Committees on Appropriations no later than June 4, 2003, that includes cost estimates and timelines for developing an International Law Enforcement training academy in Mexico in one of the following states: Chiapas, Durango, Oaxaca, or Yucatan.

The conferees are aware that the Justice Department intends to cap the reimbursement per employee for professional liability insurance (PLI) at $50, a cut of up to $65, due to ''budget shortfalls''. The conferees are unaware of any shortfalls. The Justice Department is directed to reimburse employees for the full amount policy allows for PLI. The Assistant Attorney General for Administration is directed to issue a circular to components to that effect and to confirm by letter, with circular attached, to the Committees on Appropriations that this directive has been implemented.

The conferees are not satisfied with the efforts of the Justice Department and the State Department to repatriate criminal aliens. A recent Supreme Court decision held that criminal aliens cannot be detained indefinitely. The conferees are concerned that potentially violent criminal aliens will be released into the United States because efforts to repatriate these individuals have been unsuccessful. The conferees therefore include bill language directing the Attorney General to notify the Secretary of State in each instance when a foreign country denies or unreasonably delays, under section 243 of the Immigration and Nationality Act, the repatriation of a criminal alien who is a citizen, subject, national or resident of that country. The conferees believe that this language will equip the Secretary of State and the Attorney General with the legal authority to prevent the release of violent criminal aliens in the United States.

The conferees support the Department's efforts to develop a unified financial management system which will bring the Justice Department into compliance with Federal Financial Management Improvement Act accounting system standards and security requirements. The conferees are aware that the unified financial management system is an eligible purpose for retained earnings in the Working Capital Fund and direct the Justice Department to use $8,900,000 in retained earnings during FY 2003 for this purpose. The conferees believe that Working Capital Fund retained earnings should be used for specific projects rather than being used to meet recurring costs, such as audit contract expenses.

Consistent with the report submitted to the Committees on Appropriations in May 2002 regarding the number of containers used for storage of classified information, the conference agreement includes necessary sums to continue efforts to replace locks used to store classified information.

The Department is directed to submit a report to the Committees on Appropriations by June 1, 2003 regarding the feasibility of making Foreign Agents Registration Act information available on line to the public, as is data from the Lobbying Disclosure Act.

The conferees remind the Department and its components that the use of recoveries is subject to the requirements included in section 605 of this Act.

The conferees include bill language carried in previous years regarding the position and workyear limits for the Offices of Public Affairs and Legislative Affairs, and include language, carried in previous years, which (1) makes up to $3,317,000 of this appropriation available until expended for the Departmental building, renovation, maintenance, and security needs; (2) specifies the amount of funding provided for the Department Leadership Office; and (3) authorizes the Attorney General to transfer property to state or local government agencies to support community-based health and safety programs.

JOINT AUTOMATED BOOKING SYSTEM

The conference agreement includes $15,973,000 for the continued deployment of a Joint Automated Booking System (JABS). The conferees have not adopted the Administration's request to combine JABS activities with the ongoing integration of the Immigration and Naturalization Service's IDENT fingerprint system with the Federal Bureau of Investigation's IAFIS fingerprint system (IDENT/IAFIS). Funding for IDENT/IAFIS activities is provided under a separate account. The conferees expect JABS incentive funds to be distributed to the component or components making the best progress in installing and operating the system.

This funding level enables Justice Department law enforcement components—the U.S. Marshals Service, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Bureau of Prisons—to share arrest information using a common information technology platform. The Immigration and Naturalization Service, now part of the Department of Homeland Security (DHS), is directed to continue participating in JABS. The Attorney General and the Secretary of Homeland Security shall submit a report to the Committees on Appropriations by June 27, 2003 to determine if other DHS law enforcement components should participate in JABS. The report should include expected operations and maintenance costs, and an assessment of whether state and local law enforcement agencies should have access to JABS. JABS is a secure information system that has automated the booking process, allowing law enforcement agencies to electronically share criminal data to improve criminal identification response times and avoid duplication of booking data entry.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM/INTEGRATED IDENTIFICATION SYSTEM INTEGRATION

The conferees recommend $9,000,000 for continued integration of the FBI Automated Biometric Identification System and the INS Integrated Automated Fingerprint Identification Systems (IDENT/IAFIS). As noted previously, the conferees do not adopt the Administration's request to establish an Identification Systems Integration account. Of the amount provided, $1,000,000 is for a pilot program for software for IAFIS that is capable of expedited background checks and that is capable of ten fingerprint to less than ten fingerprint comparisons. This funding level will enable IDENT/IAFIS to be deployed to additional sites, and will provide other refinements to, and planning for, the system. The Department of Justice, in cooperation with the Department of Homeland (DHS), is directed to provide a cost and operational effectiveness analysis, complete with implementation milestones, to the Committees on Appropriations by June 27, 2003. This report should determine if other DHS law enforcement components should participate in this ongoing integration effort.

LEGAL ACTIVITIES OFFICE AUTOMATION

The conference agreement includes $15,942,000 in direct appropriations for Legal Activities Office Automation (LAOA). In addition, the conferees direct that an additional $61,185,000 be derived from a transfer from the Working Capital Fund, to provide a total of $77,127,000 for LAOA activities.

This account centrally funds the acquisition, deployment, and maintenance of Legal Activities Office Automation (LAOA) systems, the largest components of which are the Justice Consolidated Network and the Justice Consolidated Office Network. Funding provided supports ongoing computer modernization programs for the legal divisions, including the Antitrust Division, the Executive Office for Immigration Review, the Community Relations Service, and General Legal Activities. This year, the conference agreement directs that the Bureau of Prisons and Office of Justice Programs begin efforts to migrate onto this network.

The conference agreement includes bill language to provide for expenses related to design, development, engineering, acquisition, and implementation of office automation systems. The recommendation also includes language modified from language carried in previous Appropriations acts regarding the list of participating components.

NARROWBAND COMMUNICATIONS

The conference agreement includes a total of $101,757,000 for Narrowband Communications, including direct appropriations of $81,354,000 and $20,403,000 in recoveries. The conferees note that $68,043,000 remains unobligated in this account from prior year appropriations, and that funds for new and replacement radios and related costs are also provided in the modular costs allotted to each of the law enforcement components. New bill language is included directing the Attorney General to transfer these modular costs to the Narrowband account to ensure that funding provided for radios is not diverted for other uses.

The conferees expect the Department to continue implementation of a consolidated, interagency Justice Wireless Network (JWN) to meet component needs and improve wireless capabilities, as such an approach will enhance interoperability and reduce costs associated with narrowband conversion. Amounts provided will be used to continue implementation of the JWN, operate and maintain legacy systems, expand the use of commercial services, and support the Wireless Management Office (WMO). The conferees continue to expect the Department to accommodate narrowband requirements without significant additional new resources. The conferees direct the WMO to continue to submit status reports to the Committee as

directed in Public Law 106–553, to include an operational plan for expenditure of funds.

The Department shall provide a report to the Committees on Appropriations by June 27, 2003 regarding the use of radios and any deficiencies noted by Justice law enforcement components during the events of September 11, 2001. The conferees continue to support extensive efforts underway at the Office of Justice Programs regarding the interoperability of State and local law enforcement radios. The Department is directed to determine, in coordination with the National Institute of Justice, if there are interoperability solutions that have been developed for state and local law enforcement that could be applicable to Federal law enforcement communication needs. No funding is provided under this account for the Public Safety Wireless Information Network (PSWIN). Instead, the conferees expect the Department's participation in the PSWIN program and Project SAFECOM to be funded within the resources provided under the Office of Justice Programs, after consultation with the Committees on Appropriations.

The conferees recommend bill language, as carried in previous years, regarding the costs of conversion to narrowband communications, and the costs of operating and maintaining land mobile radio legacy systems.

COUNTERTERRORISM FUND

The conference agreement includes $1,000,000 for the Counterterrorism Fund to cover extraordinary costs associated with a terrorist threat or incident. This level, when combined with current unobligated balances and recoveries of $49,281,000, ensures a total level of $50,281,000 for fiscal year 2003.

The Counterterrorism Fund was established in the 1995 Supplemental Appropriations Act after the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and is under the control and direction of the Attorney General. These funds may be used to reimburse any Department of Justice organization for the costs incurred from the reestablishment of an office or facility damaged or destroyed as a result of a domestic or international terrorist incident, and to cover extraordinary expenses necessary to counter, investigate, or prosecute domestic or international terrorism activities. The Attorney General is required to notify the Committees on Appropriations in accordance with section 605 of this Act prior to obligation of any funds from this account.

The conferees recommend bill language, carried in previous Appropriations acts, which makes funds available: (1) for costs incurred in reestablishing the operational capacity of an office or facility damaged or destroyed by a terrorist incident; and (2) for support to counter, investigate, or prosecute terrorism, including payments of rewards and detention costs in connection with these activities.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement includes $191,535,000 for Administrative Review and Appeals. Of the total amount provided, $189,713,000 is for the Executive Office of Immigration Review (EOIR), and $1,822,000 is for the Pardon Attorney. This level includes an increase of $8,000,000 to address the growing immigration judge workload as a result of increases in Immigration and Naturalization Service enforcement activities.

The Attorney General is directed to submit a report to the Committees on Appropriations by April 30, 2003, regarding the implementation of the changes to the Bureau of Immigration Appeals process announced by the Attorney General August 23, 2002.

This appropriation supports the EOIR, which includes the Board of Immigration Appeals, Immigration Judges, and Administrative Law Judges who decide through administrative hearings on the admission or exclusion of aliens seeking to enter the country, and the transportation and adjustment of status of aliens whose status has been challenged; and the Office of the Pardon Attorney, which receives, investigates and considers petitions for all forms of Executive clemency.

DETENTION TRUSTEE

The conference agreement includes $1,366,591,000 for the Federal Detention Trustee. This amount includes transfers of $592,985,000 from the Immigration and Naturalization Service and $773,606,000 from the Federal Prisoner Detention account. Within 45 days of enactment of this Act, the Trustee is directed to report to the Committees on Appropriations regarding the appropriateness of transferring to the Trustee any U.S. Marshals Service and Immigration and Naturalization Service personnel involved in procuring detention space.

The conferees are aware that a number of States have excess prison capacity. Therefore, the Detention Trustee is directed to use existing State prison capacity if it meets Federal standards and is cost effective. In addition, the conferees direct the Detention Trustee, in collaboration with the Bureau of Prisons and the Office of Justice Programs, to submit a plan to the Committees on Appropriations by April 30, 2003, to evaluate the health and safety of Federal prisoners in non-Federal institutions. The conferees also urge the Detention Trustee to continue its efforts with the Federal Judicial Center regarding alternatives to detention.

The recommendation also includes $1,000,000 for development of the National Repository. The conferees direct the Department's Chief Information Officer to assist the Detention Trustee in establishing this clearinghouse as quickly as possible. The Committees on Appropriations expect to be regularly briefed on progress in establishing this repository.

The Detention Trustee shall report to the Committees on Appropriations regarding its aircraft replacement procurement strategy not later than 180 days after enactment of this Act.

Section 114 of Public Law 106–113 directs that health care services provided for individuals in the custody of the U.S. Marshals Service (USMS) and the Immigration and Naturalization Service (INS) shall not exceed the lesser of the amount that would be paid for a similar service under Medicare and Medicaid. The conferees direct the Detention Trustee to review the impact that this language has had on the delivery of health care services. The review shall include: (1) an analysis of the cost of providing health care to individuals in USMS and INS custody of the Federal Prison System, including transportation and security costs; (2) the impact section 114 has had on the availability of the health care services throughout the country to individuals in the custody of the Department; and (3) any recommended changes to USMS, INS, FPS policies to ensure that individuals in the custody of the Department have access to necessary health care services at affordable rates. The conferees expect that the study will be funded by the affected components. The Detention Trustee shall submit its review to the Committees on Appropriations no later than 180 days after the enactment of this Act.

The conferees include bill language, modified from the request, which provides for the transfer of funding from the Detention Trustee to the USMS or to the Immigration Enforcement and Border Affairs account. The Committee also (1) recommends language carried in previous years regarding the authorities of the Detention Trustee; (2) modifies language previously carried regarding the construction of detention facilities; (3) provides that unobligated balances available in prior years from funds appropriated to the Federal Prisoner Detention account be transferred to the Detention Trustee account; and (4) directs that the Detention Trustee and the Bureau of Prisons develop a plan for evaluating the health and safety of Federal prisoners in non-Federal facilities.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $57,937,000 for the Office of Inspector General. The recommended level includes a $2,000,000 increase to address additional responsibilities resulting from P.L. 107–56.

The Office of Inspector General conducts and supervises audits and investigations relating to the programs and operations of the Department of Justice, and keeps the Attorney General and Congress informed about problems and deficiencies relating to the administration of such programs and activities. As the Nation's chief law enforcement agency, it is essential that the motives and actions of the Justice Department be above reproach. The conferees urge the Inspector General to be sensitive to such concerns and to continue to ensure the integrity and fairness of Justice Department management processes and Federal law enforcement efforts.

The conference agreement includes bill language providing up to $10,000 to meet unforeseen emergencies and for the acquisition and operation of motor vehicles.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $10,488,000 for the U.S. Parole Commission for fiscal year 2003.

The Commission is an independent body within the Department of Justice that makes decisions regarding requests for parole and supervision of Federal and District of Columbia (D.C.) Code prisoners. As a result of legislation that established sentencing guidelines, the Parole Commission is phasing down its Federal operations. In August 1998, the Commission assumed jurisdiction over D.C. felony prisoners and D.C. Code parolees. When the D.C. Board of Parole ceased to exist, the Commission inherited a parole revocation caseload with a significant backlog of warrant requests and revocation hearings. In a May 2002, report to the Committee, the Attorney General reported that the Commission is responsible for conducting hearings and making parole decisions for over 3,000 Federal inmates; supervising about 4,000 Federal offenders currently on parole; and rendering parole revocation decisions for nearly 1,000 Federal offenders every year. The Commission also conducts hearings and adjudicates parole decisions for more than 7,000 eligible D.C. offenders who committed their crimes before August 5, 2000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement includes $611,325,000 for General Legal Activities for fiscal year 2003. This appropriation supports the Attorney General through the establishment of litigation policy, conduct of litigation, and various other legal responsibilities. The distribution of funding provided is as follows. The conferees remind the legal divisions that changes to these levels are subject to section 605 requirements in this Act.

General Legal Activities

[In thousands of dollars]

2003 appropriation	
Solicitor General	$7,706
Tax Division	75,520
Criminal Division	129,766
Civil Division	207,718
Environment and Natural Resources	70,814
Office of Legal Counsel	5,474
Civil Rights Division	105,099
Interpol-USNCB	8,862
Office of Dispute Resolution	366
Total	$611,325

Criminal Division.—The conference agreement provides a total of $129,766,000, 810 positions and 822 workyears for the Criminal Division, to address cyber-terrorism, foreign legal assistance, foreign counterintelligence, and white collar crime. The Criminal Division is directed to submit a report to the Committee by May 2, 2003, on the $4,800,000 enhancement provided in Public Law 107–117 to coordinate international legal activities related to the September 11, 2001 terrorist attacks.

Civil Division.—The recommendation provides a total of $207,718,000, 1,042 positions and 1,063 workyears for the Civil Division. Included in this amount is an increase of $10,000,000 for administrative expenses associated with the September 11th Victim Compensation program. The conferees direct the Office of the Special Master and the Civil Division to submit a report to the Committee by July 7, 2003 containing an update on the status of awards provided from the September 11th Victims Compensation Fund.

The conferees include bill language carried in previous Appropriations acts allowing the Attorney General to provide additional resources to the Civil Division, if emergent circumstances warrant, through transfers of funds from other Department of Justice sources. The conference agreement includes $23,388,000 in funding available to the Department through the Working Capital Fund for the requested tobacco and other litigation activities. The conferees also include $1,996,000 for administrative expenses associated with the Radiation Exposure Compensation Act (RECA) of 1990, as amended. This program was established, in accordance with RECA, to permit the payment of claims to individuals exposed to radiation as a result of atmospheric nuclear tests and uranium mining. Previously, these funds had been appropriated under a separate account. New language is included in this bill reflecting that funding is now being provided under the Civil Division. The conferees expect the Civil Division to absorb any additional requirements for processing RECA claims from other resources available to the Civil Division.

The conferees do not include requested programmatic increases for the Commercial Litigation section. Any additional requirements may be covered within existing resources through the regular reprogramming process. The funding level recommended for the Civil Division includes the requested reduction of $1,762,000, reflecting improvements achieved as a result of the Torts Litigation Division's use of automated litigation support.

Civil Rights Division.—The conferees include $105,099,000, 753 positions and 755 workyears, the full amount requested, for the Civil Rights Division to enforce voting rights, disability rights, and other civil rights policies.

Trafficking.—An estimated 1 to 2 million people are trafficked each year worldwide, with women and children making up at least 700,000 of this total. It is estimated that 50,000 of these women and children are trafficked into the United States annually by crime rings and loosely connected criminal networks. The Department of Justice is directed to provide a report to the Committees on Appropriations by May 9, 2003, regarding the Department's litigation and law enforcement efforts to combat trafficking in persons.

Courtroom technology.—The amounts provided include $5,200,000 for courtroom technology to be distributed among the divisions on the basis of need.

The conference agreement includes bill language, similar to that included in previous fiscal years, which: (1) allows up to $20,000 for expenses of collecting evidence; (2) makes up to $10,000,000 for litigation support contracts available until expended; (3) makes up to $1,000 available to the INTERPOL-USNCB for reception and representation expenses; and (4) allows the Attorney General to transfer funds to address emergent circumstances in the Civil Division. The conferees also recommend bill language, included in previous Appropriations acts under a separate heading, for administrative expenses in accordance with RECA. The recommendation does not include requested bill language making a portion of funds for certain activities available until expended.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of $4,028,000 for fiscal year 2003 from the Vaccine Injury Compensation Trust Fund to cover the Department of Justice's expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement provides $133,133,000 for the Antitrust Division as proposed by the Senate, instead of $134,295,000 as proposed by the House. This amount will be offset with Hart-Scott-Rodino fee collections, regardless of the year of collection, resulting in no direct appropriations.

The Conferees understand that due to changes in the Hart-Scott-Rodino fee structure and a reduction in merger activity that the number of pre-merger filings requiring review declined by 76 percent between fiscal year 2000 and fiscal year 2002. In light of this decline in filings, the Conferees direct the Antitrust Division to submit a financial and performance plan to the Committees on Appropriations within 60 days of enactment of this Act. The plan shall outline how the Division intends to vigorously enforce our nation's antitrust laws.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides $1,503,767,000 for the U.S. Attorneys. This appropriation supports the Executive Office of U.S. Attorneys and the 94 U.S. Attorneys Offices, which serve as the principal litigators for the U.S. Government for criminal, civil, and debt collection matters.

Corporate Fraud.—To aggressively prosecute cases of corporate fraud, the conference agreement includes an increase of $13,000,000 to support the Justice Department's Corporate Fraud Task Force.

Intermodal Security Pilot Project.—The conferees recommend $5,000,000 for Project Seahawk, an Intermodal Security pilot project, to be coordinated by the Office of the U.S. Attorneys. The U.S. Attorneys are directed to provide a spend plan to the Committees on Appropriations not later than March 15, 2003.

Legal Education.—The conference agreement provides $18,842,000 for legal education and distance learning at the National Advocacy Center (NAC), and if merited, the NAC may expand or include antiterrorism, cybercrime and financial investigation classes. The conferees also include an increase of $6,000,000 to expand distance learning capabilities at the NAC.

U.S. Attorneys Anti-Terrorism Task Forces.—The conferees note that the Joint Terrorism Task Forces, which were established in 1980 and have since grown to be active in each of the 56 FBI field offices, include representatives of local, State, and Federal law enforcement, including U.S. Attorneys, as well as other relevant participants from each community. The conferees believe that the Joint Terrorism Task Forces should play the lead Federal coordinating role with respect to multi-agency counterterrorism efforts, and that the U.S. Attorneys should continue to participate in these Task Forces rather than maintain a separate set of U.S. Attorneys task forces.

Violent crime task forces.—The conference agreement includes an additional $1,500,000 within available resources to continue and expand task force activities associated with Operation Streetsweeper.

Cybercrime and Intellectual Property Enforcement.—Twenty-five percent of the software produced in the United States has been copied illegally in violation of U.S. copyright laws. The estimate of lost revenue to such industries exceeds $300 billion annually. Therefore, the agreement includes $10,000,000 for the continued pursuit of Federal copyright law violations and software counterfeiting crimes. The U.S. Attorneys shall report to the Committees on Appropriations by April 30, 2003, on the number, type and location of copyright prosecutions undertaken in the preceding year, including those under Public Law 105–147.

The conferees also include bill language, similar to that included in previous fiscal years, which: (1) makes up to $2,500,000 for debt collection purposes available through fiscal year 2004; (2) makes available up to $8,000 for official reception and representation expenses; (3) makes up to $10,000,000 for automated litigation support contracts available until expended; (4) provides not to exceed $2,500,000 for the operation of the National Advocacy Center to remain available until expended; and (5) specifies the number of positions and workyears provided for the United States Attorneys.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement provides $155,736,000 for the United States Trustees, to be funded entirely from offsetting collections, instead of $159,161,000 as proposed by the House and $150,381,000 as proposed by the Senate. The Conferees understand that this account has $5,399,000 in prior year unobligated balances previously appropriated to the Trustee. The Conferees direct that these balances be used to offset this account's fiscal year 2003 operational requirements.

The conference agreement includes $750,000 for the Bankruptcy Training Center at the National Advocacy Center, in support of the Trustees' continuing education program.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement includes $1,136,000 for the Foreign Claims Settlement Commission for fiscal year 2003.

The Commission settles claims of American citizens arising out of nationalization, expropriation, or other takings of their properties and interests by foreign governments.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement includes $680,474,000 for this account, instead of $684,174,000 as provided by the House and

$673,146,000 as provided by the Senate. The conference agreement does not include the table included in the Statement of Managers accompanying the Senate bill. However, the Marshals are directed to submit a spend plan to the Committees on Appropriations by March 30, 2003 for this account that is as detailed as the Senate table. The conference agreement includes $3,300,000 for Electronic Surveillance Unit (ESU) recurring costs, $1,000,000 for hand/leg cuffs, and $10,015,000 for special assignments.

Warrant Information Network. The conference agreement includes not less than $2,766,000 (excluding a $500,000 transfer from the Justice Detainee Information System) for the Warrant Information Network and subscriptions to various networks and on-line systems. The Marshals, with assistance from the Justice Department's Chief Information Officer, are expected to implement the recommendations included the Justice Department's Inspector General report (03–03) concerning the Marshal Network and the Warrant Information Network.

Protection of the Judicial Process. The conference agreement transfers $15,800,0000 for 106 senior Deputy U.S. Marshals [DUSMs] from the ''Court Security'' account in title III to this account. The conferees expect DUSMs and physical security experts to regularly survey courthouses and make security recommendations to the courts and the Committees on Appropriations. In addition, the agreement provides $5,650,000 for 40 additional personnel and equipment, as requested, for the protection of the Judiciary for high threat trials. In addition, the agreement includes $2,259,000 for 18 positions to be allocated to those districts with the highest priority needs.

Courthouse security equipment. The conference agreement includes $12,061,000 for security equipment, furnishings, relocations, and telephone systems and cabling to improve security at the most ill-equipped courthouses. The distribution of these funds shall be described in the aforementioned spend plan.

Fugitive apprehensions. The conference agreement includes increases over the fiscal year 2003 request of $2,268,000 to fully annualize the two existing fugitive task forces, $2,916,000 to establish two additional centrally-managed fugitive task forces in the heartland, and $2,750,000 for ESU personnel, training, and equipment.

Other. The conference agreement also includes increases over the fiscal year 2003 request of $1,715,000 to establish a permanent Marshals Service presence in Jamaica, the Dominican Republic, and Mexico and $10,424,000 for vehicles. The conferees encourage the USMS to minimize the financial burden of Federal court security on State and local jurisdictions to the degree possible.

CONSTRUCTION

The conference agreement includes $15,126,000 for this account.

Construction engineering consultants.—The Committee is aware that the Marshals have been using funds allocated by Congress for consulting services on construction projects to pay the federal salaries of nine permanent employees hired in fiscal year 2000. Apparently, this diversion of funds was prompted by confusion over terms and dollar amounts used by the Marshals and Congress. The Conferees expect the salaries of permanent employees to be paid out of the ''Salaries and Expenses'' account. The Marshals are directed to report on the proper execution of the construction engineering funds not later than 30 days after enactment of this Act.

Billings, MT.—The funds provided for construction for Bilings shall only be available to renovate the Marshals Service space, including designated prisoner movement and holding areas, in the existing federal courthouse, space previously occupied by the Bureau of Indian Affairs. No other proposals are to be considered.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes $175,645,000 for Fees and Expenses of Witnesses for fiscal year 2003. This appropriation, which is considered mandatory for scorekeeping purposes, provides for fees and expenses of witnesses who appear on behalf of the Government in cases in which the United States is a party, including fact and expert witnesses, mental competency examinations, and witness/informant protection. Funds are also used to provide private counsel to pay certain legal expenses of Federal employees. This year, the conferees also include the costs associated with the U.S. Marshals Service Witness Protection Program.

The conferees include new bill language regarding the Witness Protection Program, and include language from previous Appropriations acts which allows: (1) up to $6,000,000 for protected witness safesites; (2) up to $1,000,000 for the purchase and maintenance of armored vehicles for prisoner transportation; and (3) up to $5,000,000 for installation and operation of a secure automated network.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement includes $9,474,000 for the Community Relations Service for fiscal year 2003. The agreement continues a provision that allows the Attorney General to transfer up to $1,000,000 from funds made available to the Department of Justice to this account, thereby providing for a total funding level of up to $10,744,000.

The Community Relations Service was established by Title X of the Civil Rights Act of 1964 to provide assistance to communities in resolving disagreements arising from discriminatory practices.

The conference agreement includes bill language, identical to that included in previous years, which allows the Attorney General to provide additional resources for the Community Relations Service, if emergent circumstances exist, through the transfer of funds from other Department of Justice programs, and subject to the requirements of section 605 of this Act. The conference agreement also includes modified language, as requested, clarifying the definition of the activities of the Community Relations Service.

ASSETS FORFEITURE FUND

The conference agreement includes $21,901,000 for the Assets Forfeiture Fund for fiscal year 2003.

This account provides funds for additional investigative expenses of the FBI, DEA, and USMS, such as purchase of evidence, equipping of conveyances, and investigative expenses leading to seizure. Funds for these activities are provided from receipts in the Assets Forfeiture Fund resulting from the forfeiture of assets. Expenses related to the management and disposal of assets are also provided from these receipts in the Assets Forfeiture Fund by a permanent indefinite appropriation.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement includes $372,131,000 for Interagency Crime and Drug Enforcement (ICDE) for fiscal year 2003. The ICDE program was created in 1982 to ensure a coordinated, multi-agency approach to attacking and dismantling high-level drug enterprises. Through its nine regional task forces, the ICDE program utilizes the combined resources and expertise of its 11 Federal agency members, in cooperation with State and local investigators and prosecutors, to target and destroy major narcotics trafficking and money laundering organizations. Amounts provided reimburse Department of Justice components for their costs to participate in ICDE task forces. Additional funding for non-Justice Department agencies' participation in ICDE is provided in other Appropriations acts. It is expected that the Immigration and Naturalization Service will continue to participate in this effort.

The table below reflects funding levels for each of the components. The Justice Department is reminded that changes to these levels are subject to section 605 of this Act.

REIMBURSEMENT BY AGENCY

[In thousands of dollars]

	POS	FTE	Amount
DEA	1,176	1,076	135,485
FBI	912	912	118,334
INS	117	117	16,345
U.S. Marshals Service	13	13	2,109
U.S. Attorneys	895	851	91,993
Criminal Division	18	14	2,078
Tax Division	10	8	982
Administrative Office	12	12	4,805
Total	3,153	3,003	372,131

The conferees have communicated concerns with regard to the ability of Federal law enforcement to maintain a strong focus on combating illegal drugs following the FBI's shift of some 567 agents away from drug investigations. The Committees on Appropriations approved the FBI's restructuring, and at the same time requested a comprehensive plan to ensure that all of the resources available to the Department of Justice to fight illegal drugs are deployed in priority locations. The Committees later approved a proposal by the DEA to shift 100 of its agents and support staff in response to the withdrawal of FBI agents. The Committee commends the DEA for taking this action. However, the Committee has yet to receive a comprehensive drug strategy from the Department, and urges submission of this plan without further delay.

The conference agreement includes an increase of $15,000,000 for the Drug Enforcement Administration for their participation in task force operations. The conferees commend the management of this program for emphasizing a strong focus on disrupting and dismantling the major drug trafficking organizations, and expect that this infusion of DEA agents and support staff will further enhance these efforts. The conferees also include an increase of $6,050,000 for needs associated with OCDETF wiretap investigations generated by the DEA's Special Operations Division, and an increase of $724,000 for the U.S. Attorney's to establish an electronic surveillance tactical group to assist U.S. Attorney's offices in conducting electronic surveillance. To further the Justice Department's ability to investigate the links between illegal drugs and terrorism, an increase of $3,000,000 is provided for additional financial investigative training and support.

The conferees include bill language, similar to that included in previous Appropriations acts, which: (1) allows for inter-governmental agreements with State and local law enforcement agencies; (2) makes $50,000,000 available until expended; (3) allows funds to be used under existing authorities available to participating organizations; and (4) allows the Attorney General to reallocate unobligated balances among participating organizations, subject to the reprogramming procedures described in Section 605 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement includes $4,234,587,000 for the Federal Bureau of Investigations (FBI) salaries and expenses account for fiscal year 2003. This level provides programmatic increases totaling $491,281,000 to support the FBI's core missions of counterterrorism, counterintelligence, and cybercrime. The conferees also include increases to combat violent crime and white collar crime, and for much needed information technology enhancements. In addition to the amounts provided to the FBI in this account, the conferees have included bill language and additional funding to establish a new account, the Foreign Terrorist Tracking Task Force (FTTTF).

The following distribution represents the conference agreement. The conferees remind the FBI that changes in this distribution are subject to the reprogramming requirements in section 605 of this Act.

FBI SALARIES AND EXPENSES

[In thousands of dollars]

Activity	POS	FTE	Amount
Criminal, Security and Other Investigations:			
Organized Crime Enterprises	4,223	4,224	567,085
White Collar Crime	4,120	3,978	516,326
Other Field Programs	11,419	10,892	1,678,963
Subtotal, Criminal, Security and Other Investigations	19,762	19,094	2,762,374
Law Enforcement Support:			
Training and Recruitment	930	912	140,089
Forensic Services	789	724	204,434
Information Technology	377	344	257,117
Technical Field Support and Services	669	625	408,040
Criminal Justice Services	1,902	1,913	208,698
Subtotal, Law Enforcement Support	4,667	4,518	1,218,378
Program Direction and Administration:	2,018	1,967	253,835
Total, Direct Appropriations	26,447	25,579	4,234,587

Specific funding increases are provided as follows:

Counterterrorism and Counterintelligence.—The conference agreement includes increases of $181,431,000 to bolster counterterrorism and counterintelligence activities of the FBI. Of this, an increase of $20,000,000 is provided for intelligence analysts and associated equipment and support; and an increase of $5,000,000 is to be transferred from the FBI to the DEA's Special Operations Division (SOD) to ensure continued collaboration on SOD activities. The FBI is expected to reinvigorate its participation in this multi-agency task force in order to strengthen the Justice Department's ability to investigate links between the sale of illegal drugs and terrorism. The conferees also include an additional $38,246,000 for NIPC, including $17,221,000 to fund phase II of a three-phase research and development initiative being run by the Special Technologies & Applications Unit. The conferees fully expect the STAU to have occupied 4,000 square feet recently made available at its new location in Virginia not later than March 31, 2003. To ensure that these resources are completely integrated with other information technology improvement programs underway at the FBI, the FBI Chief Information Officer is directed to review all ongoing information technology products and activities of the cyber division, including the National Infrastructure Protection Center, to ensure that activities underway are commensurate with the mission of the FBI, and that the products and techniques being developed are shared with the FTTTF and other law enforcement agencies, as appropriate. Finally, the conference agreement includes $6,804,000 to expand the polygraph program.

Joint Terrorism Task Forces.—The conference agreement includes an increase of $20,000,000 for the Joint Terrorism Task Forces (JTTF) which have been successful in enhancing the coordination of law enforcement at state, local and Federal levels. The conferees, while supportive of the concept of the JTTFs, want to ensure that these efforts complement and do not duplicate other counterterrorism efforts underway at the Department. Toward that end, the Bureau is directed to submit a report to the Committees on Appropriations that includes a thorough discussion of JTTF caseload over the last five years by type (domestic/foreign), offense(s), and disposition (referred for prosecution, prosecuted, convicted, etc.) on a task force by task force basis. The report should also include an explicit discussion of threats in existing or proposed JTTF locations. The report shall be delivered not later than April 30, 2003.

Trilogy.—To date, the Committees on Appropriations have provided the FBI with $457,800,000 for Trilogy, the FBI's three year information technology upgrade plan. Funding of $237,000,000, $132,000,000 more than requested, was provided in Public Law 107–117 to complete the three-year funding stream in two years and to hasten deployment. The conferees continue to urge the FBI to deploy Trilogy as quickly as possible while ensuring the integrity of the program. The fiscal year 2003 level includes an additional $8,000,000 as requested for Trilogy contractor support. The Bureau shall continue to provide quarterly status reports to the Committees on Appropriations regarding Trilogy implementation. In addition, the FBI CIO is directed to submit a plan to the Committee by March 31, 2003 for reviewing all of the FBI's some 40 plus databases, with the goal of removing applications that have outlived their usefulness in order for the FBI to concentrate resources on the highest priority information technology needs.

Information Technology Infrastructure.—In addition to the increase provided for Trilogy, the conference agreement provides increases of $126,776,000 to continue efforts to provide the FBI with the most modern, efficient and effective information technology tools to enable it to prevent terrorist acts and further other critical priorities, including counterintelligence and cybercrime. Within this amount, the following increases are provided: $50,300,000 for investigative data warehousing; $11,000,000 for collaborative capabilities; $10,000,000 for digital storage and retrieval of documents from counterterrorism investigations; $17,444,000 for mainframe upgrades and continuity of operations at FBI headquarters; and $3,032,000 for secure video teleconferencing. The agreement also includes an increase of $5,000,000 for data mining. The conferees are concerned that data mining efforts underway at the FBI, the DEA and the Foreign Terrorist Tracking Task Force are not being coordinated or exploited to the fullest extent possible. Toward that end, the Justice Department is directed to provide a report to the conferees by June 13, 2003 on efforts to ensure that these efforts are complimentary, and not duplicative, both from a technological standpoint, and a law enforcement perspective. The conferees remain committed to providing the FBI with adequate resources to ensure that its information technology infrastructure enhances its ability to prevent or investigate acts of terrorism and other crimes for which it has responsibility. Toward that end, the conferees have provided an additional $30,000,000 above the request for emergent information technology needs. These funds are made available to the FBI subject to the submission of spend plans pursuant to section 605 requirements of this Act.

Information Technology Report.—The Committees on Appropriations have provided the FBI with significant increases for information technology. To ensure that this funding is being centrally coordinated in order to provide the greatest return on investment, the conferees expect the FBI to provide an updated information technology report. This report shall include a complete listing of all information technology projects; the stage of each project's development and deployment; base funding for each project, to include all sources of funding; the fiscal year 2002 and 2003 funding level of each project; and the outyear cost projections for each project, including recurring requirements for operations and maintenance of these systems. This report should also include a plan for ensuring regular technology refreshment replacement cycles, as well as estimated costs for these needs. This report is to be submitted to the Committees on Appropriations by July 21, 2003.

Internet café.—The conference agreement includes $3,620,000 for Internet café. A combination of a virtual private network and the electronic equivalent of a mail drop, Internet café will allow the FBI to establish a very low cost secure network that parallels Trilogy and protects it from penetration. The Bureau shall provide a report to the Committees on Appropriations on the distribution and use of Internet café sites not later than May 1, 2003.

The conference agreement provides an additional $12,612,000 above last year's level for tactical operations. The amount provided should allow the FBI to keep pace with the explosion of court-ordered surreptitious entries and the rapid advance in easily obtained security technology and to cope with the new threat of entry into facilities contaminated by biological, chemical, radiological, or other hazardous materials. The agreement also includes $18,435,000 as requested for information assurance and $29,738,000 for the Enterprise Security Operations Center to continue efforts to ensure

that sensitive data is more effectively managed. The Security Division is directed to provide an update to the Committee by April 30, 2003 regarding the FBI's internal security efforts. This review should include an update on the use of the new information technology enhancements provided during fiscal year 2002. The agreement also includes additional resources above the request for intelligence production needs, as well as surveillance and tactical operations.

The conference agreement also includes an increase of $5,000,000 to ensure the highest integrity language translation program, and to aggressively reduce the backlog of documents that need to be translated. The FBI is directed to work with the Foreign Service Institute regarding language-training needs of the FBI. The conferees believe that the FBI needs to develop more in-house expertise with regard to language translation capabilities. The FBI is also directed to submit a report to the Committees on Appropriations by June 2, 2003 regarding efforts to implement section 323 of Public Law 107–306, development of a civilian linguistic reserve corps.

Legal Attaché Program.—The FBI received funding in Public Law 107–206 to establish additional Legats, update the Legat information infrastructure, and provide additional resources to existing Legats that have realized appreciable workload increases following the September 11th, 2001 terrorist attacks. Accompanying report language directed that the FBI submit a review of the Legat program prior to establishing additional Legats. The Committees on Appropriations have yet to receive this report. The FBI is directed to consult with the Committees on Appropriations within 30 days following the enactment of this Act to review the plan to deploy these additional resources.

Quantico Training.—The ongoing FBI restructuring plan revolves around a dramatic change in philosophy, shifting the FBI's focus from investigating crimes to preventing acts of terrorism. This change, coupled with the recruitment of new agents, analysts and other support personnel, has created significant new training requirements. The conferees therefore provide $10,000,000 above the request for training needs, including support for the newly created College of Analytic Studies at Quantico, and for enhanced training in the fields of cybercrime, counterintelligence and counterterrorism. This additional funding shall also support the establishment of a program to provide senior FBI agents and support staff with the ability to earn advanced degrees in specialized areas that will broaden and enhance their on-the-job effectiveness.

Support.—The conference agreement also provides increases of $9,333,000 for the Hazardous Materials Response Unit, $3,272,000 for the Hazardous Devices School, and $7,919,000 for Evidence Response Teams.

DNA matching.—The conference agreement includes an increase of $867,000 for the Federal Convicted Offender Program, which maintains a DNA database of Federal convicts for cross-referencing with crime scene evidence. The conference agreement also includes an increase of $4,000,000 to maintain or establish four regional mitochondrial DNA (mtDNA) forensic labs in affiliation with the FBI Laboratory. The labs will analyze mtDNA from human remains or other evidence to assist law enforcement in the identification of missing persons or criminal perpetrators. Affiliation with the FBI Laboratory ensures that uniform standards and procedures are maintained by all of the participating laboratories doing mtDNA analysis. The conferees note that the four scientists and technicians required to oversee regional labs were funded last year, but the labs themselves were not.

Serial rapists.—The conference agreement includes an increase of $1,005,000 to expand the Violent Criminal Apprehension Program to include sexual assault cases, which should greatly improve the ability of law enforcement at all levels to identify, capture, and prosecute serial rapists.

Forensic research.—The conference agreement includes an increase of $8,056,000 over last year to fund the highest priority forensic research proposals submitted to Congress by the FBI Laboratory as part of its fiscal year 2002 spend plan. The FBI shall report back to the Committees on Appropriations on the disposition of these resources not later than May 1, 2003.

Engineering Research Facility.—Last year, Congress funded the construction of a new annex at the Engineering Research Facility (ERF). Since then, the conferees have become aware that a flaw in the FBI's cost analysis, the failure to include cabling, wiring, and equipment costs, and out-dated pricing data, which failed to capture inflation through the life of the construction project, resulted in an under-estimate of the true cost of the annex. Considering the importance of this facility, the conference agreement includes $7,945,000 to partially cover the full costs of the ERF annex. The conferees urge the Bureau to complete this project as quickly as is prudent.

Aviation Support Program.—The conference agreement includes an increase of $18,953,000, including $13,000,000 for additional aircraft and related equipment. The conferees understand that the FBI is developing a proposal for needs associated with locations in the Northeast, and direct the FBI to submit this proposal in conjunction with a five year aviation master plan that includes: (1) current fleet assets by type, (2) logged flight hours by mission by aircraft/helicopter, (3) projected useful service life remaining by aircraft/helicopter, (4) utilization of current fleet assets, by mission type, for the last five years by year, and (5) basing, by aircraft/helicopter locations. The plan should also discuss the costs and benefits of maintaining versus replacing current fleet assets through 2008, maldeployments or other causes of underutilization of current fleet assets, if applicable, and capabilities of current fleet assets versus current and projected mission requirements. The report shall be delivered not later than May 1, 2003.

Violent Crime.—The conferees also include an increase of $5,000,000 for the FBI's continued involvement in the National Integrated Ballistics Information Network, or NIBIN. Funding will support research, development and equipment for these activities. The conference agreement also includes an increase of $10,000,000 for efforts to combat violent crime. The conferees expect the FBI to bring a national focus to cases that cross jurisdictions, including the activities of criminal alien gangs across the United States.

White Collar Crime.—The conferees include an increase of $10,000,000 to provide key investigative assets to fight corporate fraud. This increase, along with increases provided elsewhere in this bill for the Securities and Exchange Commission and the U.S. Attorneys, will strengthen the Federal government's capabilities to bring corporate fraudsters to justice, and to protect investors, employees and consumers.

Trafficking.—The conferees support the FBI's continued involvement in the Southeast European Cooperative Initiative, and provide an increase of $3,000,000 above the request for these purposes. As noted elsewhere in this report, the Justice Department is directed to submit a report to the Committees on Appropriations regarding efforts to combat sexual trafficking.

Advisory Board.—The conference agreement includes a $5,000,000 increase and accompanying bill language to establish an Advisory Board. The Advisory Board will be a standing panel of outside experts to advise the FBI Director on matters relating to science, technology, research, engineering, information management, and other matters of special interest to the FBI. The Committees on Appropriations believe that the organizational changes and management reforms being pursued by the current FBI Director would be enhanced by the establishment of a panel of experts who can independently and regularly advise the Director on how the FBI can more effectively exploit and apply science and technology to improve its operations, particularly with respect to information sharing, data mining and the analysis of information and evidence collected during investigations. The efforts of the panel should be focused on the pressing and complex technology challenges facing the FBI, particularly the priorities of preventing terrorist attacks, countering foreign intelligence operations, combating cyber-based attacks, and strengthening the FBI's collaboration with other Federal law enforcement agencies and within the Intelligence Community. The panel will focus exclusively on strategic issues, and on suggesting and assessing organizational strategies for applying technology. Not later than 60 days after enactment of this legislation, the Director shall report to the Committees on Appropriations regarding progress toward establishing this panel.

The conferees include bill language, similar to that included in previous Appropriations acts, which provides: (1) for purchase of not to exceed 1,576 passenger vehicles, of which 1,085 will be for replacement only, without regard to general purchase price limitations, and the acquisition and operation of aircraft; (2) up to $70,000 for unforeseen emergencies; (3) up to $65,000,000 for automated data processing, telecommunications and technical equipment, and up to $1,000,000 for undercover operations to remain available until September 30, 2004; (4) not less than $475,300,000 for counterterrorism investigations, foreign counterintelligence, and national security activities; (5) up to $10,000,000 to reimburse State and local police for assistance related to violent crime, terrorism and drug investigations; (6) up to $50,000 for official reception and representation expenses; and (7) specifies the number of positions and workyears provided for the Federal Bureau of Investigation. In addition, bill language is included, as carried in prior fiscal years, setting forth certain authorities.

FOREIGN TERRORIST TRACKING TASK FORCE

The conference agreement establishes a separate account for the Foreign Terrorist Tracking Task Force (FTTTF), and includes funding of $62,000,000, the full amount requested, for additional data collection and data sharing initiatives. The conferees direct the Attorney General to ensure that the efforts of the FTTTF are coordinated with, and not duplicative of, other information technology enhancement initiatives taking place throughout the Department.

The conferees are concerned that there remain disagreements within the Administration on the evidence needed to deny a visa on terrorism grounds. The conferees expect the Administration to develop a comprehensive set of standards by which to review visa applications, and to provide training for consular officers to use in reviewing visa applications. More guidance about this issue is also provided under Title IV of this Act. The conferees strongly support the recommendations contained in GAO's report, *Border Security: Visa Process Should Be Strengthened as an Antiterrorism Tool,* and recommend that the

Administration implement its recommendations for strengthening the visa application process.

CONSTRUCTION

The conferees include $1,250,000 for FBI construction.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes total budget authority of $1,649,948,000 for the Drug Enforcement Administration (DEA) salaries and expenses account for fiscal year 2003, of which $89,029,000 is derived from the Diversion Control Fund, resulting in a direct appropriation of $1,560,919,000.

The following distribution represents the conference agreement. The DEA is reminded that any changes to this distribution are subject to the reprogramming requirements in section 605 of this Act.

DEA SALARIES AND EXPENSES

[In thousands of dollars]

Activity	POS	FTE	Amount
Enforcement:			
Domestic Enforcement	2,225	2,119	$480,126
Foreign Cooperative Investigations	633	601	207,511
Drug and Chemical Conversions	165	165	19,946
State and Local Task Forces	1,699	1,696	257,082
Subtotal, Criminal, Security and Other Investigations	4,722	4,581	964,665
Investigative Support:			
Intelligence	956	973	127,133
Laboratory Services	455	451	60,912
Training	99	98	25,529
Research, Engineering, and Technical Operations	587	586	121,455
Information Technology	126	122	141,305
Subtotal, Law Enforcement Support	2,223	2,230	476,334
Management and Administration	871	853	119,920
Total, Direct Appropriations	7,816	7,664	1,560,919
Division Control Fee Account	660	656	89,029
Total, Budget Authority	8,476	8,320	$1,649,948

Additional Drug Enforcement Agents.—As noted elsewhere in the conference agreement, the FBI's restructuring plan shifted 567 agents away from drug investigations to focus on fighting terrorism. Therefore, to compensate for this reduction, the conference agreement includes $15,000,000 above the request to hire an additional 133 agents and support staff. As noted earlier in this agreement, the conferees note that the Justice Department has yet to submit the plan requested by the Committees on Appropriations regarding the strategy to maintain a strong focus on fighting illegal drug activity. The Justice Department is directed to submit this strategy as expeditiously as possible. The agreement also includes $7,750,000 in available prior year recoveries for vehicles, bullet proof vests, and other basic equipment essential to agents in the performance of their duties.

Overseas Offices.—The DEA is directed to submit a report to the Committees on Appropriations by May 23, 2003 which provides a workload analysis and right sizing proposal as warranted for each overseas offices to ensure that the most urgent needs are being met with the limited resources available.

Financial Investigations.—The conference agreement includes an increase of $4,121,000, 27 positions and 14 workyears, to strengthen the DEA's ability to better monitor and track the financial holdings and transactions of drug trafficking organizations, especially with regard to investigating the links between the sale of illegal drugs and terrorist organizations. Toward that end, the conference agreement directs the DEA to use $25,000,000 in prior year recoveries for activities of the Special Operations Division. The FBI and the DEA shall brief the Committees on Appropriations on a quarterly basis beginning July 7, 2003 regarding efforts in this area.

Information Infrastructure.—The conference agreement recommends an additional $6,683,000, 23 positions and 11 FTE to further strengthen DEA's data security infrastructure. The DEA should ensure that these enhancements are consistent with the Department's overall information technology security programs.

Physical Security Measures.—The conference agreement includes a requested increase of $18,000,000 for additional anti-terrorism security measures at both domestic and foreign locations. As noted earlier in this report, the conferees expect the Justice Department to submit a comprehensive plan to ensure the safety of employees at all installations.

The conferees expect DEA to continue to provide quarterly reports on the investigative workhours and funding, by type, within major source and transit countries, including the Caribbean, delineated by country and function. The DEA shall report to the Committees on Appropriations, by June 1, 2003, providing a trend analysis gleaned from information provided in these reports.

OxyContin.—The Committee on Appropriations continue to be concerned with the availability of legal drugs that are diverted for illegal use, and in particular the prescription drug OxyContin, especially in Virginia, West Virginia and Kentucky. This epidemic is gaining a foothold in other areas of the country. To continue progress toward establishing a nationwide prescription drug monitoring program, the conferees include $10,000,000 under the Office of Justice Programs (OJP) to continue implementation of the Harold Rogers Prescription Drug Monitoring Program. The conferees expect the DEA to continue to work with OJP on the implementation of this program, and to continue to provide the Committees on Appropriations with regular updates regarding efforts to thwart the illegal diversion of OxyContin and other legal drugs.

Methamphetamines.—The conferees remain concerned with the continuing problem of Ecstasy and methamphetamine use across the United States. The conferees expect the DEA to continue working with OJP and COPS on the implementation of its COPS methamphetamine programs, and to continue participating in the High Intensity Drug Trafficking Areas, particularly those operating in the Midwest, to combat the influx of methamphetamines.

Aviation Support Program.—The conferees direct the DEA to submit a five year aviation master plan that includes: (1) current fleet assets by type, (2) logged flight hours by mission by aircraft/helicopter, (3) projected useful service life remaining by aircraft/helicopter, (4) utilization of current fleet assets, by mission type, for the last five years by year, and (5) basing, by aircraft/helicopter locations. The plan should also discuss the costs and benefits of maintaining versus replacing current fleet assets through 2008, maldeployments or other causes of underutilization of current fleet assets, if applicable, and capabilities of current fleet assets versus current and projected mission requirements. The report shall be delivered not later than May 1, 2003.

Drug Diversion Control Fee Account.—The recommendation includes $89,029,000 for DEA's Drug Diversion Control Program for fiscal year 2003. The conference agreement assumes that the level of balances in the Fee Account are sufficient to fully support diversion control programs in fiscal year 2003. As was the case in previous fiscal years, no funds are provided in the DEA salaries and expenses appropriation for this account in fiscal year 2003.

To control the diversion, distribution, manufacture and abuse of legitimate pharmaceuticals, DEA annually registers in excess of 900,000 drug handlers, of which over 1,670 are manufacturers, distributors, importers, exporters, and others handling large volumes of controlled substances. These registrants pay fees, which fully support the cost of this program. The conferees are aware that the DEA is proposing to change its fee structure, and urge the DEA to consult with the Committees on Appropriations regarding these changes.

The conference agreement includes bill language which provides: (1) up to $70,000 for unforeseen emergencies; (2) for expenses for drug education and training programs; (3) for purchase of passenger vehicles without regard to general purchase price limitations, and acquisition and operation of aircraft; (4) up to $33,000 for permanent change of status costs; (5) up to $1,800,000 for research to remain available until expended; (6) up to $4,000,000 for evidence and information, up to $10,000,000 for automated data processing and telecommunications, up to $2,000,000 for laboratory equipment, $4,000,000 for technical equipment, and $2,000,000 for aircraft replacement parts to remain available until September 30, 2004; and (7) up to $50,000 for official reception and representation expenses. In addition, language is continued which specifies the number of positions and workyears provided to DEA.

CONSTRUCTION

The conference agreement includes $7,250,000 in available prior year recoveries for construction of a new laboratory facility in Miami, Florida.

IMMIGRATION AND NATURALIZATION SERVICE

The conference agreement includes total new spending authority of $6,159,529,000 for the Immigration and Naturalization Service (INS) for fiscal year 2003. This amount includes $3,848,456,000 in direct appropriations and $2,311,073,000 in anticipated fee collections. The conference agreement includes funding for border enforcement and immigration services under the Salaries and Expenses account, but does not adopt the Administration's request to establish a Support and Administration account. The conferees are aware that the INS will soon transfer from the Justice Department to the Department of Homeland Security (DHS). Guidance provided below is assumed to apply to any successor organizations of the INS that may be created within the DHS.

SALARIES AND EXPENSES

Funding provided for the INS Salaries and Expenses account includes a total direct appropriation of $3,589,819,000 for salaries and expenses, including $2,880,819,000 for Immigration Enforcement and Border Affairs, and $709,000,000 for Immigration Services.

IMMIGRATION ENFORCEMENT AND BORDER AFFAIRS

The conference agreement includes $2,880,819,000 for Immigration Enforcement and Border Affairs. This account provides for activities related to border inspections, border patrol, investigations, detention and deportation, and intelligence.

Entry Exit.—The conference agreement includes an increase of $362,000,000, for the Entry Exit program and related information technology infrastructure upgrades. This funding is available for obligation pending submission of a comprehensive plan from the Secretary of Homeland Security for the Entry Exit program and needed information technology upgrades. The Committees on Appropriations held a series of briefings throughout the fiscal year regarding the planning and progress of the Entry Exit program, but have been disappointed by the lack of senior management involvement and oversight of this program, and by the lack of detail about how funds will be used. The conferees note that the Administration provided a plan for expenditure of funds in January 2003, which largely included funding for construction, and did not provide any detail on the technological solutions that would be employed to implement this program, nor any discussion regarding the involvement of Mexico and Canada and how any infrastructure changes between the U.S. and these countries would be accomplished. The conferees expect the INS to follow the direction contained in the report accompanying Public Law 107–206 regarding the involvement of the General Accounting Office (GAO) in the development and review of the Entry Exit program. The GAO should review and make recommendations to the INS prior to submission of plans to the Committees on Appropriations. The INS shall report to the Committees on Appropriations on a quarterly basis, beginning April 1, 2003, regarding Entry Exit program development. The conferees expect the INS to ensure full and open competition with regard to procurement actions, and to ensure that any funding proposals for subsequent years include a full analysis of expected operations and maintenance costs. As part of this plan, the conferees encourage the INS to explore biometric alternatives for use in developing more tamper resistant passports and INS re-entry documents. The conferees also direct the DHS to submit a report not later than July 1, 2003, to the Committees on Appropriations identifying the number of green cards currently used with no expiration date or security features, the original date the cards were issued, as well as a proposed plan to replace these older green cards, if necessary.

Passenger and Crew Manifests.—One of the primary goals of the Entry Exit Program is to improve the collection, analysis and dissemination of information on passengers and crews at ports-of-entry, including the verification of traveler identity and access to data relevant to the determination of the excludability of the traveler. Such information is critical to the development of threat assessments. The INS' current paper-based system and stove-piped databases limit its ability to produce and coordinate such information with other agencies responsible for collecting this and similar critical information. The Congress enacted Public Law 107–295 directing the Transportation Security Administration (TSA) to develop and establish a Maritime Intelligence System (MIS), as defined in section 70113 of the Maritime Transportation Security Act of 2002 to address this very problem. The MIS system is intended to integrate and analyze collected data on passenger and crew manifests and any other relevant information that could be construed as potential threats against the United States. In order for this system to work, INS and other agencies that collect data on passengers and crew manifests must cooperate fully. Therefore, the conference agreement directs the INS to transfer $25,000,000 to the TSA as a reimbursement for its MIS activities and requirements. The conferees expect MIS to include the data collected through the Container Security Initiative (CSI) program and other passenger, crew and cargo information collection systems. The conferees understand that the CSI program will enable the collection of additional shipping data through enhanced cooperative relationships between the U.S. Customs Service and foreign customs services.

Border Patrol Agents.—The conference agreement includes an increase of $57,207,000, 570 positions and 285 FTE for new Border Patrol Agents, bringing the number of Border Patrol Agents to 11,000. The conferees expect the INS to submit a deployment plan to the Committees on Appropriations for the new agents provided, and to ensure that this plan is coordinated with construction projects and ongoing Entry Exit program planning. The INS should continue to provide the Committees on Appropriations with quarterly status reports on border patrol hiring, with the first such report due no later than April 1, 2003.

Immigration Inspectors.—The conference agreement includes an increase of $25,500,000 to hire an additional 460 land border ports of entry inspectors. These inspectors shall be deployed along both the Northern and Southern borders. The conferees are concerned with staffing levels at the Ambassador Bridge/Detroit Tunnel, the Santa Teresa and Columbus ports of entry in New Mexico, and urge the INS to ensure that staffing levels are sufficient at these important ports of entry.

Pay Upgrades.—In response to concerns raised regarding a high rate of attrition of Border Patrol Agents and Immigration Inspectors, the Committees on Appropriations provided emergency supplemental funding in Public Law 107–206 for pay upgrades. The conference agreement continues this direction by including an increase of $58,550,000 for pay upgrades for Border Patrol Agents and Immigration Inspectors. The conferees note that this was not in the Administration's request. The conferees direct the Administration to submit a legislative proposal to the Congress with the FY 2004 budget that establishes a comprehensive, equitable program to compensate Federal law enforcement.

Interior Enforcement.—The conferees include an increase of $10,000,000 for interior enforcement needs. This increase will provide the INS with additional staff to investigate and deport the more than 300,000 alien fugitives who have been ordered removed or deported from the U.S. but have failed to comply with those orders. The conferees are aware of a growing number of illegal aliens in Bettendorf and Davenport, Iowa; Moline and Rock Island, Illinois; and the Roanoke area in the upper Shenandoah Valley, and direct the INS to review staffing levels in these areas.

Joint Terrorism Task Forces.-The conference agreement continues to support the concept of Joint Terrorism Task Forces (JTTFs), and therefore includes an increase of $6,000,000, 59 positions and 30 FTE for INS participation in JTTFs. This funding complements funding provided to the FBI and other Department of Justice components for these multi-agency law enforcement activities.

Interior Checkpoints.—Bill language is retained prohibiting funds for the site acquisition, design, or construction of any permanent Border Patrol checkpoint in the Tucson sector. The INS is reminded that it must not operate a checkpoint at the same location for seven consecutive days during a 14–day period in the Tucson Sector. The conferees direct INS to submit a report to the Committees on Appropriations by June 27, 2003, regarding the checkpoint program. This report should include a list of all checkpoints, when they were established, a profile of all resources associated with each checkpoint, as well as current and historical statistics. This review should discuss the checkpoint program, and how it complements the overall border security enforcement strategy in recognition of urgent homeland security issues. The conferees direct the Tucson Sector to continue negotiations regarding the relocation of Tucson Sector helicopter operations to Sierra Vista, Arizona.

Border Patrol Equipment.—Of the amounts provided for Border Patrol equipment, the Border Patrol is directed to provide no less than $5,000,000 to procure lightweight handheld thermal imagers for Border Patrol field use and operations. The conferees support the continuation of ISIS and RVIS, and direct the INS to submit a report to the Committees on Appropriations by July 7, 2003, regarding the status of these initiatives, particularly in light of the deployment issues that have arisen on the Northern Border because of the differences in climate and terrain. The conference agreement also includes $40,000,000 for vehicles. The conferees note that base funding is provided for every on board agent, and funding for each new agent hired includes funds to purchase new vehicles. The conferees urge the INS to ensure that funds provided for vehicles and other basic agent needs are spent as provided by the Congress, and not diverted for other uses.

Injured Illegal Aliens.—The conferees believe hospitals in Cochise, Pima, Santa Cruz and Yuma Counties, Arizona are bearing an unfair burden as a result of illegal immigrants injured as a result of interaction with the Border Patrol, and therefore direct the INS to provide such sums as necessary to reimburse hospitals in these counties, as authorized by sections 562 and 563 of the Illegal Immigration and Immigrant Responsibility Act of 1996, as amended. The conferees believe that this one-time funding infusion is appropriate until a nation-wide solution is developed in fiscal year 2003. This funding is only available to the extent that these costs are not otherwise reimbursed through other Federal programs or cannot be recovered from the alien or another person. The conferees direct the INS, in coordination with

the Department of Health and Human Services, to provide a report by July 1, 2003 to the Committees on Appropriations with recommendations to address this issue.

Trafficking.—To continue efforts to combat the illegal trafficking into this country of some 50,000 women and children every year, the conference agreement includes an increase of $3,662,000 for costs associated with effectively implementing provisions of the Victims of Trafficking and Violence Protection Act. The conferees continue to be supportive of the INS' Violence Against Women Act Processing Unit which is responsible for the adjudication of immigration cases filed by victims of violence including battered immigrants, trafficking victims and other immigrant victims of crime. The conferees encourage the Administration to ensure that sufficient funding is available for the Unit to continue to adjudicate and process immigration cases.

Alternatives to Detention.—The conference agreement includes $3,000,000 for alternatives to detention to promote community-based programs for supervised release from detention such as the Vera Institute for Justice's Appearance Assistance Project or other similar programs. These funds shall not be available for new or existing detention facilities, including non-secure detention and/or shelter care detention facilities.

Legal Orientation.—The conference agreement also includes $1,000,000 for non-governmental agencies to provide ''live presentations'' to persons in INS detention prior to their first hearing before an immigration judge. These presentations will provide immigration detainees with essential information about immigration court procedures and the availability of legal remedies to assist detainees in distinguishing between meritorious cases and frivolous cases.

Criminal Aliens.—The conferees understand that the INS has an ongoing program to identify and deport criminal aliens in local and county jails, pursuant to Public Law 105–141, which requires the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States. The conferees expect that within existing resources provided for detention and removal of aliens, the INS will continue to support this program, and increase resources as warranted for these activities. A recent Inspector General audit noted a number of problems in the INS' Institutional Removal Program, including the fact that INS has failed to identify all deportable criminal aliens, including aggravated felons. The conferees support the recommendations provided in the audit, and urge the INS to adopt them as expeditiously as possible. Similarly, the conferees have provided funding for the High Intensity Criminal Alien Apprehension and Prosecution program to use automated fingerprint technology to improve the identification, apprehension, and prosecution of previously deported criminal aliens in L.A. County. The conferees direct INS to allocate sufficient staff, if warranted, to the Los Angeles office, in order to enter the fingerprint records of all deportable criminal aliens incarcerated in prisons and jails into the CAL-ID database in a timely fashion.

IMMIGRATION SERVICES

The conference agreement includes $709,000,000 for Immigration Services.

Eliminating the Backlog of Immigration Applications.—The June 2002 Backlog Elimination Plan states that the INS will reach a national average processing time of six months or less for all applications by the end of fiscal year 2003, and will achieve a processing time standard of six months or less at every office by the end of fiscal year 2004. From 1993 to 2000, more than 6,900,000 legal immigrants have applied for citizenship, more than in the previous 40 years combined. The Committees on Appropriations have provided more than $430,000,000 in appropriations to the INS over the last six years to address the backlog of applications and to improve the integrity of the naturalization process; this funding is in addition to the more than $4,500,000,000 in fees that the INS has collected to process applications. The INS estimates that it will process about 9,400,000 applications in fiscal year 2003. The conferees look forward to receiving quarterly updates from the INS regarding efforts to achieve these new standards. The conferees expect that if the INS realigns existing staff to better address workload issues, that any shift in employees will be subject to reprogramming requirements in this Act.

The conferees continue to hear from Members of Congress and their constituents with concerns about the lack of attentiveness to requests for better service with regard to the processing of immigration applications. The conferees receive many requests for additional resources in the nearest INS office or for the opening of new INS offices to deal with backlogs. The conferees again urge the INS to review staffing levels throughout the country to ensure that resources are deployed to match work requirements. The conferees expect the INS to direct special emphasis toward backlog reduction problems in Northern Virginia; New York, New York; the Bronx, New York; the state of Iowa; Northern New Jersey; Florida; Arizona; and Michigan. The conferees also urge the INS to make every effort to acquire space in Portland, Oregon's Central Business District for its District Office.

Inadmissable Aliens.—The conferees direct the INS to remain vigilant with regard to enforcing section 212 of the Immigration and Nationality Act of 1952, as amended. This section pertains to the general classes of aliens ineligible to receive visas. The conferees are particularly concerned with people who are granted entrance into the United States who may have been foreign intelligence operatives against the United States; who have been or are involved in trafficking in persons; or who are foreign government officials who have engaged in particularly severe violations of human rights or religious freedom. The INS, in cooperation with the State Department's Bureau of Consular Affairs, is directed to submit a report no later than June 27, 2003, describing efforts to enforce the provisions of Section 212. The conferees continue to urge the Secretary of State and the Attorney General to deny immigrant or non-immigrant visas to any citizens of the People's Republic of China whom they determine participates in or otherwise supports organ harvesting.

OFFSETTING FEE COLLECTIONS

The conference agreement assumes a total of $2,311,073,000 in offsetting fee collections paid by persons who are traveling internationally or who are applying for immigration benefits. These fees support activities related to the legal admission of persons into the United States. The conferees are concerned about the findings of a recent Inspector General audit which found that INS fee collection procedures are poor and subject to errors and theft. Therefore, the INS is directed to adopt and enforce more stringent accounting procedures regarding the collection of fees for these activities as noted in this recent report.

Immigration Inspections User Fees.—The conference agreement assumes $658,295,000 of spending from offsetting collections in this account. Last year, the conferees supported an increase in the INS user fee account to provide for additional inspectors and to facilitate the use of technology to improve the ability to process international air travelers and provide for greater security measures. Despite these increases, the Congress continues to hear concerns about staffing levels at airports around the country. Therefore, the conferees expect the INS to hire up to an additional 615 airport immigration inspectors and support staff with the expected increase in fee revenues. The conferees are particularly concerned with staffing levels at the Detroit International Airport and the Miami International Airport, and urge the INS to review staffing at all airports to ensure appropriate coverage to facilitate travel while ensuring secure borders. These new inspectors are expected to be deployed at new and renovated terminals, as well as at high growth airports. The conferees also direct the INS to hire up to an additional 85 seaport immigration inspectors and 8 support staff. The conferees include language clarifying that the newly established immigration inspection fee is intended to be applied to cruise ship passengers, and not to individuals who use ferries on a daily basis. The INS should consult with the Committees on Appropriations prior to the deployment of these new positions.

Immigration Examinations Fees.—The conference agreement assumes $1,443,803,000 to support the adjudication of applications for immigration benefits, to be derived from fees collected from persons applying for immigration benefits. This funding level assumes an increase of $50,496,000 to continue efforts to reduce the backlog of applications and at the same time improve the integrity of the process. As noted previously, the INS is expected to provide quarterly updates to the Congress regarding implementation of its Five Year Backlog Reduction Plan. The INS is expected to provide no less than $43,000,000 for the telephone customer service center and no less than $7,200,000 for the indexing and conversion of INS microfilm images. The conferees support the ongoing efforts of the INS to index and convert deteriorating records to digital format, which ensures that the records will be maintained, and more readily searchable.

Land Border Inspections Fees.—The conference agreement assumes $21,700,000 in spending from the Land Border Inspection Fund. The revenues generated in this account are from Dedicated Commuter Lanes in Blaine and Port Roberts, Washington; Detroit Tunnel and Ambassador Bridge, Michigan; and Otay Mesa, California; and Automated Permit Ports which provide prescreened local border residents border crossing privileges by means of automated inspections. The conferees fully support the concept of Dedicated Commuter Lanes, and expect the INS to employ the lessons learned in this program to the development of the Entry Exit program.

Breached Bond/Detention Fund.—The conference agreement assumes $171,275,000 in spending for detention of illegal aliens from the Immigration Breached Bond/Detention Fund in fiscal year 2003. The allowance assumes that $50,069,000 will be used to fund additional detention space needs. The conferees expect the INS to rely on a mix of INS, private and state facilities for these additional needs. Resources available in this Fund are derived from the recovery of breached cash and surety bonds in excess of $8,000,000, which are deposited in the Fund as offsetting collections. In addition, resources are also available in this account from a portion of fees charged under section 245(i) of the Immigration and Nationality Act. The conferees are aware that the number of detainee complaints and disturbances has decreased at the

San Pedro Service Processing Center as a result of counseling and religious services being offered to detainees. The INS is directed to provide no less than $1,500,000 to continue to provide such services to detainees at the INS Service Processing Centers.

H–1B Fees.—The conference agreement includes $10,000,000 to process H–1B visas.

The H–1B is a temporary visa category for non-immigrant, highly skilled workers.

The conference agreement includes bill language, similar to that included in previous Appropriations acts, which provides: (1) up to $50,000 to meet unforeseen emergencies of a confidential nature; (2) for the purchase of motor vehicles for police-type use and for uniforms, without regard to general purchase price limitations; (3) for the acquisition and operation of aircraft; (4) up to $400,000 for research to be available until expended; (5) up to $5,000,000 for payments to State and local law enforcement agencies engaged in cooperative activities related to immigration; (6) up to $5,000,000 to fund or reimburse other Federal agencies for costs associated with the repatriation of smuggled aliens; (7) up to $5,000 for official reception and representation expenses; (8) a limit on the level of funding for the Office of Legislative and Public Affairs; (9) a limit on the amount of funding available for non-career positions; (10) separate headings for Immigration Enforcement and Border Affairs and Immigration Services; (11) revised language carried in previous Appropriations acts regarding the operation of the checkpoints in the Tucson Sector; and (12) deletes language carried in previous Appropriations acts regarding the operation of the San Clemente and Temecula checkpoints.

CONSTRUCTION

The conference agreement includes $258,637,000 for construction projects for the Immigration and Naturalization Service for fiscal year 2003. The conference agreement does not adopt the proposal of the Administration to provide funding for construction under the salaries and expenses account but instead continues funding for these activities under a separate account.

This funding directly supports the Congress' commitment to ensuring that adequate facilities are provided for the increasing number of Border Patrol Agents and Immigration Inspectors being deployed to ensure safe borders. Of the amounts provided, not less than $3,000,000 shall be used on border fences and other barrier construction in the Douglas, Naco and Nogales corridors, and such sums as necessary to continue fencing efforts in the San Diego corridor. The conferees direct that not less than $1,000,000 be used for the Tucson Sector Air Operations facility in Sierra Vista, which the Committees on Appropriations directed be implemented last year.

The conference agreement provides the following increases:

[In thousands of dollars]

Border Patrol Construction	
Southern Border	
Brownsville, TX BPS	10,820
Del Rio, TX Checkpoint System	5,300
Eagle Pass, TX BPS	10,486
El Centro, CA BPS	14,235
El Paso, TX BPS	15,250
Laredo, TX Checkpoint System	5,300
McAllen, TX BP Sector HQ	18,344
San Diego Border Barriers	1,000
SW Border Barriers	8,000
Tucson, AZ BP Station HQ	25,600
Subtotal, Southern Border	114,335
Northern Border	
Bonner's Ferry, WA, BPS	3,118
Billings, MT BPS	278
Grand Forks, ND BP Sector HQ	865
Havre, MT BP Sector HQ	997
Havre, MT BPS	157
Sweetgrass, MT, BPS	350
White Fish, MT, BPS	400
NB Planning and Design	2,000
Subtotal, Northern Border	8,164
Subtotal, New Infrastructure	122,499
Charleston Border Patrol Academy	14,000
Total, Program Changes	136,499

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement includes a fiscal year 2003 appropriation of $4,071,251,000 for the salaries and expenses of the Federal Prison System. The conferees recognize the critical importance of providing adequate space for the incarceration of sentenced and unsentenced Federal prisoners, and the need to activate newly constructed prison facilities.

Activation and Expansion of New Prisons.—The conference agreement includes an increase of $101,416,000 for the activation of the new medium security facility in Glenville, West Virginia; and the new high security facilities at Big Sandy, Kentucky; McCreary, Kentucky; and Victorville, California. This amount will provide for more than 4,400 new beds. The conferees also include increases of $10,132,000 for expansion at the Marion, Illinois facility and at the Safford, Arizona facility. This amount will provide for more than 764 new beds.

The conferees include new bill language designating funding levels provided for the activities under this account. Bill language, similar to that included in previous Appropriations acts, is also included which provides: (1) for the purchase of motor vehicles for police-type use; (2) for the provision of technical advice to foreign governments; (3) for transfer of funds to the Health Resources and Services Administration; (4) for the Director to enter into contracts to furnish health care; (5) up to $6,000 for reception and representation expenses; (6) up to $20,000,000 for contract confinement expenses for the care and security of Cuban and Haitian entrants; and (7) for the Federal Prison System to enter into contracts and other agreements with private entities for multi-year periods for the confinement of Federal prisoners. The conference agreement also includes a requested change in the number of new and replacement automobile purchases, and includes language, as requested, designating an amount to remain available for two fiscal years.

BUILDINGS AND FACILITIES

The conference agreement includes $399,227,000 for fiscal year 2003 for the construction, modernization, maintenance and repair of prison and detention facilities housing Federal prisoners. The conferees agree that none of the funds appropriated for the Federal Prison System in this or prior Appropriations acts for the construction of new prison facilities shall be rescinded or cancelled. Further, the conferees expect all current projects to move forward as planned. The conferees provide increases of $225,972,000 for facilities with prior funding:

[In thousands of dollars]

Facilities with prior funding:	
Hazelton, West Virginia	66,600
FCI Pollock, Louisiana	116,872
Berlin, New Hampshire	20,000
Subtotal	$203,472
Expansions:	
Sandstone, Minnesota	$5,300
FCI Otisville, New York	11,600
USP Florence, Colorado	5,600
Total New Funding	$225,972

The conference agreement includes bill language, similar to that included in previous Appropriations acts, which allows: (1) for planning, acquisition of sites, and construction of facilities; (2) for acquisition, remodeling, and equipping facilities by contract or force account; (3) up to $14,000,000 to construct inmate work areas; (4) for use of prisoner labor; and (5) up to 10 percent of this appropriation to be transferred to the salaries and expenses account.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

The conference agreement continues a limitation on administrative expenses of $3,429,000 for Federal Prison Industries, Incorporated, for fiscal year 2003.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement includes $201,291,000 for Justice Assistance. The distribution of funding is as follows:

Justice Assistance

(Dollars in thousands)

	Amount
National Institute of Justice	$59,879
Office of Science and Technology	($33,000)
Nat. Law Enforce and Corrections Tech Centers	(17,000)
Bureau of Justice Statistics	32,335
Missing Children	32,847
Regional Information Sharing System	29,000
White Collar Crime Information Center	9,230
Management and Administration	38,000
Total	201,291

National Institute of Justice (NIJ).—The conference agreement provides $59,879,000 for the National Institute of Justice.

Office of Science and Technology.—The conferees commend the efforts of the leadership of the National Institute of Justice's (NIJ) Office of Science and Technology (OS&T). This office has assisted local law enforcement in making significant advances in the areas of non-intrusive, concealed weapons and contraband detection, vehicle stopping, DNA testing, public safety standards development, officer protection, less-than-lethal incapacitation, public safety communications, information management, counterterrorism, crime mapping, location and tracking, secure communications, and noninvasive drug detection. In addition, the conferees commend and encourage the continuing partnership that OS&T has developed with the National Institute of Standards and Technology with the goal of developing standards and carrying out scientific

and engineering research related to the public safety community.

To implement the mission of OS&T, pursuant to The Homeland Security Act of 2002 (Public Law 107–296), the conference agreement includes $33,000,000 for OS&T from within the overall amount provided for NIJ. In addition, within the funds provided for the local law enforcement block grant program, $20,000,000 is for OS&T to assist local law enforcement units in identifying, selecting, developing, modernizing, and purchasing new technologies in accordance with the aforementioned Act.

The National Law Enforcement and Corrections Technology Centers.—Since 1994, the National Law Enforcement and Corrections Technology Centers (NLECTC) have served the State and local law enforcement and corrections communities by providing support, research findings, and technical expertise on issues that allow them to perform their jobs safer and more effectively. The NLECTC system consists of facilities located across the country and each facility specializes in one or more specific areas of research and development. The conferees commend the work that NIJ's Office of Science and Technology [OS&T], and through it the NLECTC system, has done to improve the capabilities of the law enforcement and corrections communities. To further the work of the NLECTC system, the conferees recommend $17,000,000 for the continued support of the system. These funds are to be distributed equally among the Northeast Regional Center, Southeast Regional Center, Rocky Mountain Regional Center, Western Regional Center, Rural Law Enforcement Technology Center, and Northwest Center. The conferees continue to support the Centers receiving reimbursable funding from other accounts as needed.

Within available funds, the conferees recommend that NIJ consider funding the Center for Civil Force Protection and the Public Safety Technology Assessment Facility at Sandia National Laboratories in New Mexico. The Center provides important physical security counterterrorism assistance to Federal, State, and local law enforcement.

In addition, the current year level is provided for the Office of Law Enforcement Technology Commercialization, Inc. and Facial Recognition.

In addition to the above activities, within the amounts provided, NIJ is to provide grants for the following projects:

$300,000 for Practitioners Assistance Team (PAT) to provide technical assistance to State and local agencies attempting to implement integrated justice systems;

$1,000,000 for the University of Houston to study in-car law enforcement technologies;

$1,000,000 for the State of Virginia to develop a State-wide emergency communications plan to address communications equipment and interoperability needs of first responders throughout the State. The plan should address both the new equipment needs of local first responder agencies and methods for making current communications systems interoperable within local jurisdictions and throughout the State. The State is encouraged to build upon the experiences and expertise learned in the National Institute of Justice's interoperable communications pilot project in the City of Alexandria (Project Agile);

$500,000 for the Center for Advanced Media Analysis to fund advanced research in the area of multi-media capture and analysis of authorized law enforcement capture;

$750,000 for Lane County, Oregon's Breaking the Cycle of Juvenile Drug Abuse program to decrease juvenile crime and drug abuse through early identification and intervention;

$1,500,000 is for the Center for Task Force Training Program;

$750,000 to the North Carolina Attorney General's Office for Telemarketing Fraud Enforcement and Privacy Project;

$650,000 for the Mistral Security Non-Toxic Drug Detection and Identification Aerosol Technology;

$350,000 for the Pennsylvania Task Force on Prison Overcrowding; and *

$750,000 for Operation Ceasefire in Charleston, SC for overtime for response teams.

Missing Children.—The conference agreement includes $32,847,000 for the Missing Children Program for the following purposes:

MISSING CHILDREN PROGRAM

[In thousands of dollars]

Program	FY 2002 Enacted	FY 2003 Request	FY 2003 Agreement
National Center for Missing and Exploited Children	11,450	11,450	12,500
Jimmy Ryce Law Enforcement Training Center	2,700	2,700	3,000
Internet Crimes Against Children Task Force	6,500	12,500	12,500
MEC Office	2,347	2,347	2,347
AMBER Alert Grants	—	—	2,500
Total	22,997	28,997	32,847

Of the funds provided for the National Center for Missing and Exploited Children (NCMEC), $2,245,000 is for the CyberTipline. The conferees recommend that the NCMEC consult with I-Safe America to provide nationwide Internet Safety Training in grades K–12.

The conference agreement includes $2,500,000 for training and technical assistance to develop an effective, coordinated AMBER Alert program.

Office of Victims of Crime.—The Office of Victims of Crime (OVC) administers formula and discretionary grants designed to benefit victims, provide training to professionals who work with victims, develops projects to enhance victims' rights and services, and undertakes public education and awareness activities on behalf of crime victims. In fiscal year 2002, OVC was provided $68,100,000 to respond to the September 11, 2001 terrorist attacks. The conferees direct that the OVC provide a report to the Committees on Appropriations no later than 60 days after enactment on the status of how the emergency funds have been spent.

Regional Information Sharing System.—The conference agreement provides $29,000,000 for the Regional Information Sharing System (RISS). In addition to the amount provided under this heading, there is $10,000,000 under the heading ''Domestic Preparedness'' account to enhance the electronic dissemination and sharing of terrorist-related information among Federal, State, and local agencies. The conferees expect that RISS and other information sharing systems will be eligible to receive grants under this program in order to enhance State and local agencies' ability to access and share crime and terrorist information.

The conferees support the current effort to link the RISS system with the Law Enforcement On-Line [LEO] information system, which will greatly expand access to critical law enforcement information at the Federal, State, and local level.

Management and Administration.—The conference agreement provides $38,000,000 for the management and administration of the Office of Justice Programs (OJP). The conferees understand that OJP is not backfilling vacant positions, and therefore request a quarterly status report on staffing.

The Department has reported to the Committees on Appropriations on a competitive sourcing effort. To support this effort, the conferees must be assured that effectiveness is improved and savings are attained. The conferees direct that OJP provide the Committees on Appropriations with detailed plans on this effort before proceeding with changes.

OFFICE FOR DOMESTIC PREPAREDNESS

The conferees have long viewed State and local jurisdictions' ability to detect, prevent and respond to a terrorist attack as one of its highest priorities. State and local responders are first to arrive on the scene when a terrorist attack occurs and must be prepared to protect life and property. This function is inherently non-Federal, although Federal resources and expertise are needed to manage the crises and provide support to State and local assets when an attack overwhelms their resources.

The amounts provided by the conferees demonstrate the continued support for the Office of Domestic Preparedness (ODP). ODP must continue its vital and successful program for assisting State and local response agencies.

Domestic Preparedness

[$000 in thousands]

	Amount
Strategic Planning and Technical Assistance	$53,000
Web Site Pilot Project	3,000
Equipment:	
Grants	400,000
Pine Bluff	10,000
Standards and Testing	15,000
Prepositioned Equipment	23,000
Interagency Board	500
Electronic Dissemination of Terrorist Threat Info	10,000
Sub-total, Equipment	458,500
Training:	
National Domestic Preparedness Consortium	125,000
Center for Domestic Preparedness	(45,000)
Louisiana State University	(20,000)
New Mexico Institute of Mining and Tech	(20,000)
Texas A&M University	(20,000)
Nevada Test Site	(20,000)
Continuing and Emerging Training	25,000
Discretionary Training Grants	30,000
Virtual Medical Campus	2,000
Dartmouth Institute for Security and Tech. Studies	18,000
OCNM Inst for the Prevention of Terrorism	18,000
Center on Catastrophe Preparedness and Response	7,000
National Counterterrorism Policy Center	3,000
Terrorism Prevention and Response Training Center	5,000
Sub-total, Training	233,000
Exercises:	
Grants	100,000
Top Officials Exercise Series	7,000
Evaluation and After-Action Program	5,000
Sub-total, Exercises	112,000
High Threat Urban Areas	100,000
Research and Development	23,500

	Amount
Management and Administration	17,000
Total, Domestic Preparedness	1,000,000

Equipment—The conferees provide $458,500,000 for ODP equipment programs. Within these amounts, $10,000,000 is provided to enhance the dissemination of electronic threat information among Federal, State, and local responders. The conferees understand that there is a large proliferation of local, State, regional, and Federal information sharing initiatives. The conferees also understand that many of these systems are being developed independently with no plan to integrate with other information sharing systems such as RISS and LEO. This funding is provided to ODP to enhance State and local agencies' ability to share intelligence information with each other and with the Department of Homeland Security and the Department of Justice. The conferees direct that the ODP coordinate this program with the Bureau of Justice Assistance (BJA). The conferees also expect BJA and ODP to continue to work with State, local, and Federal agencies through the Global Intelligence Working Group of the Global Justice Information Sharing Initiative.

Formula Grant Program to States—Of the amounts provided, $400,000,000 is for the formula based grant program to States. The conferees direct that not less than 80 percent of equipment funding provided to the States by formula shall pass through to local governments.

Coordination—The conferees recognize that a significant portion of the funds provided under the formula grant program are used to improve voice and data communications interoperability among first responders. The conferees support this effort, but expect ODP to coordinate closely with other Federal agencies that also provide communications interoperability grants to first responders (i.e., FEMA, COPS, BJA, and NIJ), in order to ensure that Federal resources are being used effectively to improve intra- and inter-jurisdictional communications interoperability.

Standards—The conferees understand the need for minimum performance standards, testing, and evaluation in the areas of chemical, biological, radiological, and nuclear (CBRN) protective equipment, as well as voice/data communications equipment. The conferees, therefore, expect ODP to work closely with the National Institute of Standards and Technology (NIST) to test, evaluate, and develop minimum performance standards for CBRN protective equipment and voice/data communications equipment for first responders.

Training—The conference agreement provides $233,000,000 for training programs in ODP. This amount includes $125,000,000 for the training consortium. In addition, the conference agreement includes $5,000,000 for George Washington University to work in collaboration with George Mason University, Shenandoah University and other regional organizations to provide terrorism prevention and response training for multiple types of first responders including law enforcement, fire, hazmat, EMS and other types of responders. The conference agreement includes $3,000,000 for the National Counterterrorism Policy Center in St. Petersburg, FL, to assist State and local homeland security and law enforcement officials with their strategic plans to prevent and detect acts of terrorism. The conference agreement also includes $7,000,000 for the Center on Catastrophe Preparedness and Response at New York University (NYU), to support counterterrorism activities.

Exercises—The conference agreement provides $112,000,000 for State and local exercises regarding an event involving weapons of mass destruction. Within this amount, $7,000,000 is provided for the Top Official Exercise Series (TOPOFF). TOPOFF II is to be conducted in 2003, therefore, the Committees will consider a reprogramming for additional funds, if ODP finds it is necessary.

High Threat Urban Areas—Recognizing the vulnerability and high risk of terrorist attack in large urban areas, the Department of Defense (DoD) and later ODP provided training and equipment to the 120 largest U.S. cities through the Nunn-Lugar-Domenici Domestic Preparedness Program. While all of the cities identified in the Nunn-Lugar-Domenici Program have received domestic preparedness training, the conferees recognize that certain large urban areas remain high threat targets and are inadequately prepared to respond to a weapon of mass destruction (WMD) event. Therefore, the conferees recommend $100,000,000 for ODP to develop a follow-on program to the Nunn-Lugar-Domenici program that addresses the unique equipment, training, planning and exercise needs of selected large high threat urban areas. The conferees recognize that large urban areas often cross State lines and involve multiple local jurisdictions. The conferees expect these plans will expand upon States' domestic preparedness strategies and that no funds will be awarded under this program until jurisdictions have clearly demonstrated a coordinated assessment of threat, vulnerability, needs, and capabilities. The conferees expect ODP to consult with the appropriate Federal agencies including the FBI and agencies within the Department of Homeland Security in identifying urban areas to be supported through this initiative. ODP should take into account credible threat; vulnerability; the presence of infrastructure of national importance; population; and identified needs of the jurisdiction's public safety agencies when determining program eligibility. The conferees expect ODP, in consultation with the appropriate Federal agencies, including the FBI and agencies within the Department of Homeland Security, to develop a multi-year strategy for addressing the unique needs of high threat urban jurisdictions to be supported by this program.

Research and Development—The conference agreement provides $23,500,000 for research and development. Within the level of funding provided, ODP shall consider evaluating emerging first responding technologies such as hand-held detection equipment that can detect possible chemical or biological attacks, and emerging mapping, assessment, rescue and recovery technologies.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement provides a total appropriation of $2,065,269,000, of which $20,990,000 is derived from prior year unobligated balances for the State and Local Law Enforcement Assistance Program. The conference agreement provides for the following programs:

State and Local Law Enforcement Assistance

(Dollars in thousands)

	Amount
Local Law Enforcement Block Grant	$400,000
(Boys and Girls Club)	(80,000)
(National Institute of Justice)	(20,000)
(Citizen Corps)	(3,000)
State Criminal Alien Assistance Program	250,000
Cooperative Agreement Program	5,000
Indian Assistance	18,000
(Tribal Prison Construction Program)	(5,000)
(Indian Tribal Courts Program)	(8,000)
(Alcohol and Substance Abuse)	(5,000)
Byrne Grants:	
Discretionary Grants	150,914
Formula Grants	500,000
Total, Byrne Grants	650,914
Violence Against Women Grants	390,165
Victims of Trafficking Grants	10,000
State Prison Drug Treatment	65,000
Drug Courts	45,000
Juvenile Crime Block Grant	190,000
(Project ChildSafe)	(25,000)
Prescription Drug Monitoring	7,500
Prison Rape Prosecution and Prevention	13,000
Terrorism Prevention and Response Training	15,000
Other Crime Control Programs:	
Missing Alzheimer's Patients	898
Law Enforcement Family Support	1,497
Motor Vehicle Theft Prevention	1,300
Senior Citizens Vs. Marketing Scams	1,995
Unobligated Balances	(20,990)
Total, State and Local Assistance	2,044,279

Local Law Enforcement Block Grant.—The conference agreement includes $400,000,000 for the Local Law Enforcement Block Grant program. This program provides grants to local law enforcement agencies to reduce crime, including acts of terrorism. Of the amount included, $20,000,000 is provided to NIJ for assisting local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement and $80,000,000 is provided for Boys and Girls Clubs. In addition, the conference agreement includes $3,000,000 for Citizen Corps programs, including the expansion of Neighborhood Watch programs and the Volunteers in Policing program. No funding is provided for Operation TIPS.

State Criminal Alien Assistance Program.—The conference agreement provides $250,000,000 for the State Criminal Alien Assistance Program (SCAAP) for the reimbursement to States for the costs of incarceration of criminal aliens. The budget request proposed the elimination of this program. The conferees recognize the Southwest border States incur significant costs associated with criminal aliens. In addition to these funds, the conference agreement includes $40,000,000 for the Southwest Border Prosecution program under the Community Oriented Policing Services account.

Indian Country Grants.—The recommendation provides $18,000,000 for Indian Country grants. The conferees understand that the Comprehensive Indian Resources for Community Law Enforcement (CIRCLE) initiative is working well in the three Indian communities in which it is deployed. The conferees urge the Department to consider ways to expand the CIRCLE project into other communities. In addition, the conferees request that not later than 60 days after enactment of this Act, the Department submit a proposal to expand the CIRCLE project by integrating and coordinating resources from

across the Federal agencies for purposes of Indian law enforcement, public safety, substance abuse, tribal justice systems, and facilities construction into a small grant program to Indian tribes and tribal consortia.

Within the amount for prison construction, the conferees direct that OJP shall review proposals and provide grants if warranted for the following projects:

—Standing Rock Sioux Tribe in South Dakota for a Juvenile Detention and Recovery Facility;

—Yankton Sioux Tribe in South Dakota for the construction of a Juvenile Detention Facility;

—Lower Brule Sioux Tribe for the construction of a detention facility.

Edward Byrne Grants to States.—The conference agreement includes $650,914,000 for the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, of which $150,914,000 is for discretionary grants and $500,000,000 is for formula grants. Within the amounts provided for discretionary grants, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations of the House and Senate on its intentions.

$500,000 to the Saginaw Chippewa Indian Tribe of Michigan for a victims of crime program;

$2,750,000 for the D.A.R.E. program to retrain all D.A.R.E. officers nationwide and produce D.A.R.E. workbooks;

$4,000,000 for the Eisenhower Foundation for the Youth Safe Haven program;

$3,000,000 for the National Center for Justice and the Rule of Law at the University of Mississippi School of Law to sponsor research and produce judicial education seminars and training for judges and other criminal justice professionals;

$5,000,000 to continue the effective crime prevention program (McGruff the Crime Dog) and meet the enormous demand from local law enforcement organizations regarding effective crime prevention practices;

$3,000,000 for the National Fatherhood Institute, the National Physicians Center for Family Resources, and the Alabama Police Institute to study the causes and consequences of out-of-wedlock childbirth and its impact on criminal activity;

$750,000 for the University of Tennessee to continue the development of technology, forensic training, and research;

$350,000 for Turtle Mountain Community College's 'Project Peacemaker' which seeks to increase the number of American Indians trained in either Tribal government or law;

$250,000 for Riverfront District Community Policing Stations in Montgomery, Alabama;

$1,300,000 for the San Joaquin Valley, California Rural Agricultural Crime Prevention Program;

$2,000,000 for continued support for the expansion of Search Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia and Alabama, to accelerate the automation of fingerprint identification processes;

$100,000 for the Transformation Network in Ashland County, OH to reduce alcohol and drug related automobile accidents;

$250,000 for the Rural Law Enforcement Technology and Training Center;

$300,000 for the National Association of Town Watch's National Night Out crime prevention program;

$8,000,000 for the Southern and Eastern Kentucky Counter-Drug Initiative, to coordinate drug interdiction, prevention, education and treatment initiatives in Appalachia Kentucky;

$1,000,000 for the National Children's Alliance for the Child Abuse Reporting and Evaluation System;

$1,300,000 for the New Orleans, LA Police Department for crime fighting initiatives;

$3,000,000 for Mothers Against Drunk Driving (MADD) for victims assistance and education programs, of which $1,000,000 shall be to develop Spanish language Public Service Announcements;

$117,000 for the Virginia Attorney Generals Office to combat domestic violence and for the Triad Program in the State of Virginia;

$1,500,000 for the Washington Metropolitan Area Drug Enforcement Task Force (MATF);

$1,000,000 for the Fuller Theological Seminary for a conflict resolution program;

$800,000 for the Paul and Lisa Foundation;

$661,000 for the Virginia Community Policing Institute;

$300,000 for the Virginia CARES for a one-time grant to support pre- and post-release incarceration services that exist for inmates returning to communities;

$200,000 for San Marcos, CA for a community policing initiative;

$1,250,000 for the National Correctional Industries Association's grant program providing technical assistance to States participating in the Private Sector Prison Industry Enhancement Certification Program;

$500,000 for Lackawanna County, PA for treatment diversion for offenders in the drug court program;

$250,000 for the National Troopers Coalition, to study increased demands placed on law enforcement;

$3,500,000 for the Center for Court Innovation;

$1,000,000 for Pinellas County, FL for a mentally ill diversion program for inmates;

$1,780,000 for the National Clearinghouse for Science, Technology, and the Law at Stetson University College of Law;

$6,000,000 for the Police Athletic League;

$750,000 for Kristen's Act;

$600,000 for the ACTION team in Dallas, TX;

$250,000 for the Kane County, IL Drug Rehabilitation Court;

$250,000 for the Criminal justice programs at Elgin Community College;

$250,000 for DuPage County, IL State's Attorneys Office for child abuse and financial crime prevention initiatives;

$257,000 for the Rural Domestic Violence Advocacy Project of NH;

$100,000 for the Mason County, WV Sheriff's Office to investigate, respond to, and investigate Oxy-Contin abuse;

$300,000 for The Women's Center, Vienna, VA;

$130,000 for the North Central Missouri Drug Strike Task Force;

$72,000 for the Enlace Communitaros domestic violence program;

$500,000 for the Law Enforcement Memorial Act;

$250,000 for the Urban Justice Center, to expand the Family Violence Project;

$700,000 for Clackamas County, OR for juvenile detention programs;

$500,000 for the Huntsville, AL National Children's Advocacy Center for a Child Abuse Investigation and Prosecution Enhancement Initiative;

$1,000,000 for the National Corrections and Law Enforcement Training and Technology Center in Moundsville, WV;

$1,000,000 for the National White Collar Crime Center;

$1,500,000 for the City of Los Angeles, CA for the Community Law Enforcement and Recovery anti-gang program;

$1,000,000 to expand the Los Angeles, CA Community Law Enforcement and Recovery anti-gang program to the Hollenbeck division;

$500,000 for the University of Arkansas to reduce family violence through workplace interventions;

$250,000 for the American Cities Foundation for their drug and alcohol demand reduction program;

$174,000 for the Broome County, NY Department of Government Security's Computer Investigation and Technology Unit for equipment, and training;

$500,000 for the City of New York Office of Emergency Management in partnership with Global Action Plan of Woodstock, NY;

$500,000 for the Local Initiatives Support Corporation in Northwestern Ohio for community security initiatives;

$200,000 for Franklin and Hampshire Counties, MA for local emergency planning;

$500,000 for Phoenix, AZ for creation of a Homicide Drug Task Force Response Unit;

$122,000 for New Jersey Motor Vehicle Service employees for background and fingerprint checks;

$500,000 for the Bergen County, NJ Sheriff's Department to reduce violent crime and drug related violence;

$1,200,000 for Minnesota's Council on Crime and Justice's Racial Disparity Initiative;

$1,000,000 for Eastern Michigan University for the Center for Community Building and Civic Engagement;

$500,000 for Miami-Dade County, FL for a decision model to assess infrastructure vulnerabilities and enhance security;

$750,000 for the Doe Fund's Ready, Willing & Able program;

$800,000 for the Fortune Society for programs to improve community safety in New York City;

$1,000,000 for the City of San Juan, PR for law enforcement technology and training needs;

$75,000 for the Sunnyside, NY Chamber of Commerce for crime prevention and anti-recidivism programs;

$200,000 for the Suffolk County, NY Coalition to Prevent Alcohol and Drug Dependencies;

$750,000 for the Suffolk County, NY District Attorney for a new anti-gang initiative;

$275,000 for the Pace Women's Justice Center, Project DETER in White Plains, NY to help victims of domestic violence;

$500,000 for Westchester County, NY for the Westchester Special Operations Task Force;

$300,000 for the City of Norwalk, CA for the Gang-Free Communities program;

$500,000 for the distribution of Good Knight Crime and Violence Prevention bilingual educational materials for crime and violence prevention;

$500,000 for the Los Angeles, CA Community Development Commission to expand its crime and safety program;

$250,000 for the University of Akron emergency management and disaster response center;

$200,000 for the City of Pittsburgh, PA Police Bureau for the witness protection program;

$400,000 for the Rock Island County, IL Sheriff's Department for purchase of a jail security system;

$750,000 for Nashville, TN Fisk University's Security Enhancement Initiative;

$185,000 for the Thin Blue Line of Michigan;

$200,000 for the Solano County, CA multi-jurisdictional response team;

$200,000 for DeKalb County, GA for homeland security needs;

$200,000 for the Western Missouri Public Safety Training Academy in Independence, MO;

$500,000 for the Adams County, Pennsylvania Emergency Services Training Facility for program enhancements;

$1,100,000 for an alcohol interdiction program designed to investigate and prosecute bootlegging crimes as part of a statewide effort to reduce fetal alcohol syndrome in Alaska;

$160,000 to the Alaska D.A.R.E. Drug Rehabilitation Program for a statewide coordinator and for the implementation new DARE curriculum;

$1,000,000 for the Alaska Native Justice Center for a restorative justice program;

$1,540,000 for costs related to terrorism in the City of Alexandria, Virginia;

$1,000,000 for New York's Alfred University Rural Justice Institute to provide support services to youths and families who are victims of domestic violence;

$1,000,000 for the An Achievable Dream in Newport News, Virginia, which provides services to at-risk youth to help them perform better academically and socially;

$750,000 for the Arizona Criminal Justice Commission;

$150,000 to the Beaverton, Oregon Police Department for the Identity Theft Prevention Initiative;

$200,000 to the Bristol, Rhode Island Police Department for the outfitting of, and support training for, a mobile command post;

$300,000 for the Oglala Sioux Tribe in South Dakota to automate the functions of the court system, so as to enhance the capacity of the Oglala Sioux Tribe justice system to arrest, prosecute, convict, and rehabilitate offenders;

$300,000 for the Children's Medical Assessment Center in South Carolina to extend forensic healthcare services to outlying rural areas, and to extend the tracking and medical case management programs to all law enforcement jurisdictions in the local Tri-County area;

$150,000 to the Chattanooga Endeavors program in Tennessee to expand services and establish new public-private partnerships;

$450,000 for the Chicago Project for Violence Prevention in Illinois;

$750,000 to the City of Cincinnati, Ohio to improve training for police recruits and current officers;

$500,000 to the City of Ocean Springs, Mississippi to equip an Emergency Management and Public Safety Facility;

$500,000 for the Community Safety Initiative in Kansas City, Missouri;

$100,000 for the Criminal Justice Institute in Arkansas for DNA training and law enforcement;

$500,000 to Iowa State University for the creation of a Cyber Protection Laboratory which will test and evaluate computer crime defense mechanisms;

$499,477 for the New Mexico Administrative Office of the Courts to establish Dependency Drug Courts in three judicial districts;

$80,000 to the Marysville, California police department for a mobile command center;

$300,000 to the Metropolitan Family Services in Illinois for the Domestic Violence and Substance Abuse program;

$500,000 for Tulane University in Louisiana for a domestic violence clinic;

$150,000 to the Native American Community Board in Lake Andes for the continuation of the Domestic Violence shelter and Community Prevention Program;

$300,000 to the Rhode Island Coalition Against Domestic Violence for the establishment of the Rhode Island Supreme Court's Domestic Violence Training and Monitoring Unit (DV Unit);

$550,000 for the Albuquerque, NM DWI Resource Center to fund drunk driving awareness and prevention programs;

$215,000 to Edmunds County, South Dakota for a county-wide emergency warning system;

$1,750,000 to establish the Emergency Providers Access Directory (EPAD), which provide a comprehensive list of all State and local first responders so that resources can be quickly marshaled in the case of future large scale disaster.

$50,000 for the Court Appointed Special Advocate (CASA) program in Davison, South Dakota which will provide advocates for children in the First Circuit;

$100,000 for Franklin County, New York's Domestic Violence Intervention Program to establish a third shelter in Northern New York and to increase the program's outreach efforts;

$250,000 to Gallatin County, Montana for the Gallatin County Re-Entry Program to provide supervision, support, and training to offenders referred by Gallatin County Courts;

$500,000 for the Las Vegas Metropolitan Police Department's Hispanic American Resources Team (HART) to provide enhanced resources to Las Vegas' Hispanic community;

$30,000 to the Huntington County, Pennsylvania court security enhancements;

$750,000 for the Sam Houston State University in Texas to establish the Institute for the Study of Violent Groups;

$450,000 for the Iowa Elderly Fraud Prevention Initiative;

$1,000,000 to the Iowa Department of Public Health for an intense drug treatment initiative aimed at nonviolent drug offenders serving time in Polk, Linn, and Story counties;

$750,000 for Jane Doe, Inc. in Massachusetts;

$1,500,000 to Jefferson County Alabama for an county-wide Emergency Warning System;

$1,720,000 for the Lewis and Clark Bicentennial Bi-State Safety Project;

$500,000 for the New Hampshire Department of Safety to train safety and municipal officers in the North Country;

$3,000,000 for the Mental Health Courts Program in accordance with the America's Law Enforcement and Mental Health Project Act;

$150,000 for Louisiana's Metropolitan Battered Womens Program;

$250,000 to the University of Mississippi for TechLaw online training for police;

$350,000 to continue support for an innovative and effective program which helps single head-of-household women with children reject a life of crime and drugs and build a self supporting lifestyle;

$4,500,000 for the Executive Office of U.S. Attorneys to support the National District Attorneys Association's participation in legal education training at the National Advocacy Center;

$260,000 for the Nashua, New Hampshire Police Department to purchase law enforcement technologies and equipment;

$150,000 to the University of North Dakota's Native Americans into Law program to recruit and retain American Indian law students;

$270,000 to the University of South Carolina for the National Center for Prosecution Ethics;

$300,000 to the New Hampshire Department of Corrections for the purchase of digital radios to allow officers in the Department to communicate with other law enforcement officers around the state;

$500,000 for program expansion at the Northeastern Illinois Public Safety Training Academy;

$185,000 for South Dakota's Northern Hills Area court Appointed Special Advocate (CASA) Program for the expansion of the volunteer advocate network and to create an extension office to serve the Fourth Circuit;

$4,000,000 to the New York City Police Department for safety equipment;

$1,500,000 for the New Hampshire State Police's and US Attorneys Office's cooperative effort to combat crime at the border, gang-related crime, and in investigating outlaw motorcycle gangs;

$350,000 to Alaska's Partners for Downtown Progress for an innovative program for alcohol offenders, using treatment in lieu of incarceration;

$500,000 for the Philadelphia, Pennsylvania Safe Streets Initiative;

$500,000 for the Pittsburgh, Pennsylvania Police Bureau's Virtual Perimeter Video Surveillance system, which allows live monitoring of multiple locations by robotic cameras;

$410,781 for the Colorado Springs, Colorado Police Department to integrate the Police Accountability and Service Standards (PASS) Model department-wide;

$300,000 to the Rhode Island Select Commission on Race and Police-Community Relations for its Police Professionalism Initiative;

$4,000,000 for the Southeast National Law Enforcement and Corrections Technology Center for the implementation of Project Seahawk. Funding is provided for the acquisition of communications equipment, computer software and hardware technology, and research and development needed to execute the project;

$2,000,000 to include New Hampshire police, medical and fire services in a comprehensive public safety training and communications system;

$55,000 for the Multnomah County, Oregon sheriff's Office to purchase portable radios to be used by the fifty-one members of its reserve unit;

$1,000,000 for the Ridge House Treatment Facility to provide stabilization, habilitation, and re-entry skills to the Nevada criminal justice population;

$500,000 to the Robinson Community Learning Center in South Bend, Indiana to support efforts at reducing the rate of local youth violence and young adult homicide;

$100,000 to the Safe Harbor Domestic Violence Shelter in Aberdeen, South Dakota for equipment and programming;

$500,000 for the Salt Lake Valley, Utah Emergency Communications Center;

$250,000 to the City of Fairfield, California for planning, equipment, and training necessary for response in the event of an emergency;

$1,250,000 for Standing Against Global Exploitation (SAGE) to replicate and expand training materials, regional training modules, and intensive technical assistance for survivors of prostitution, sexual exploitation, violence, abuse, and trauma;

$250,000 to the State of Wisconsin Court Interpreter's Program for statewide training programs for current and potential court interpreters;

$1,000,000 to Stop the Violence in South Carolina for programs to reduce crime and create sustainable neighborhood development through a successful model of community involvement;

$180,000 for the Homeless Outreach Team (HOT) in San Diego, California which assists the homeless in San Diego in being placed in the appropriate social services programs;

$1,500,000 for The National Judicial College in Reno, Nevada to provide education and training to judges, focusing particularly on judicial proficiency, competency, skills, and productivity;

$2,000,000 for the Tools for Tolerance Program;

$2,000,000 for grants to implement Sections 101, 102, and 103 of Title I of the Indian Tribal Justice Technical and Legal Assistance Act of 2000;

$1,000,000 for the TRIAD senior fraud prevention program;

$258,476 for the Shonshone-Bannock Tribe at the Fort Hall Reservation in Idaho. Funds will be used for the architectural and engineering fees associated with construction of a new Justice Center;

$200,000 to the University of New Hampshire for the violent crime against women on campus reduction program;

$2,800,000 for the development of a security system at the Emergency Operations Center located in Virginia;

$1,000,000 for Washington County, Oregon for its County Alcohol and Drug Free Housing project;

$250,000 to the University of Southern Colorado for the Western Forensic Science and Law Enforcement Training Center;

$200,000 to the Yell County, Arkansas Juvenile Detention Center for drug and alcohol detoxification, counseling, and rehabilitation program;

$300,000 for Montana's Yellowstone County Family Drug Court.

Within the level of funds provided, $5,000,000 is available for independent program evaluations. The conferees are aware of reports concerning the success of the Doe's Fund's Ready, Willing, and Able program. Within funds provided for program evaluation, OJP is directed to perform a program review of the program and submit to the Committees on Appropriations a report detailing the results of the review and any ''best practices'' of the program that can be applied to other similar grant recipients.

Violence Against Women Act.—The conference agreement includes $390,165,000 to support grants under the Violence Against Women Act. The conference agreement provides funding under this account as follows:

Violence Against Women Act Programs

[Dollars in thousands]

	Amount
General Grants	$184,537
(National Institute of Justice)	(5,200)
(Safe Start Program)	(10,000)
(Domestic Violence Federal Case Processing Study)	(1,000)
Victims of Child Abuse:	
CASA (Special Advocates)	11,975
Training for Judicial Personnel	2,296
Grants for Televised Testimony	998
Grants to Encourage Arrests Policies	64,925
Rural Domestic Violence Assistance Grants	39,945
Training Programs	4,989
Stalking Database	3,000
Violence on College Campuses.	10,000
Civil Legal Assistance	40,000
Elder Abuse Grant Program	5,000
Safe Haven Project	15,000
Education and Training for Disabled Female Victims	7,500
Total	390,165

OJP was required to submit a report detailing a plan to address violence against women with particular emphasis on Alaska, which ranks first in the Nation for domestic violence and child abuse. The report was to be completed by May 1, 2002, but has yet to be received by the Committees on Appropriations. The Department is directed to provide monthly updates on its progress until the report is completed as required.

Substance Abuse Treatment for State Prisoners.—The conference agreement includes $65,000,000 for grants to States and local governments for development and implementation of residential substance abuse treatment programs within State correctional facilities and certain local correctional and detention facilities. Up to 10 percent of the total program level maybe used for the treatment of parolees. These grants should only fund treatment for individuals up to 1 year after they are released from a State prison.

Juvenile Accountability Incentive Block Grant.—The conference agreement includes $190,000,000 for the Juvenile Accountability Incentive Block Grant program. The conferees direct the Office of Juvenile Justice and Delinquency Prevention to provide $250,000 to the American Prosecutors Research Institute to create and report on benchmarks to measure the use of individual programs and juvenile justice system performance in up to four pilot States. This funding shall be provided from the 2 percent set-aside under the Juvenile Accountability Block Grant program for technical assistance.

Within the level of funding provided, $25,000,000 is available for Project ChildSafe, which has been merged with Project HomeSafe, for the purchase and distribution of gun safety locks. These funds may only be used to produce and distribute gun locks based on OJP's interim standard. The conferees note that no additional funding will be provided until a final standard is adopted.

Harold Rogers Prescription Drug Monitoring Program.—The conferees are concerned with the growing abuse of prescription drugs such as OxyContin and the devastating impact it has on families and communities throughout the country. In order to address this problem, the Committees on Appropriations provided $2,000,000 in fiscal year 2002 for OJP to provide grants to States creating new prescription drug monitoring programs and to enhance current prescription drug monitoring programs. Prescription monitoring programs help prevent and detect the diversion and abuse of pharmaceutical controlled substances. States that have implemented prescription monitoring programs have the capability to collect and analyze prescription data much more efficiently than States without such programs, where the collection of prescription information requires the time consuming manual review of pharmacy files. The conference agreement includes $7,500,000 to expand the Harold Rogers Prescription Drug Monitoring Program. Recognizing that prescription drug abusers often cross multiple State borders in order to fill prescriptions, the conferees encourage States to develop systems that allow bordering States to share information.

Prison Rape Prevention and Prosecution.—The conferees understand that experts have conservatively estimated that at least 13 percent of the inmates in the United States have been sexually assaulted in prison and that many inmates have suffered repeated assaults. Under this estimate, nearly 200,000 inmates now incarcerated have been or will be the victims of prison rape. The total number of inmates who have been sexually assaulted in the past 20 years likely exceeds 1,000,000. The conferees understand that prison rape contributes to the spread of sexually transmitted diseases such as HIV and AIDS. The conferees also recognize that inmates with mental illness and juvenile inmates are particularly vulnerable to sexual victimization. The conferees further understand that most prison staff are not adequately trained or prepared to prevent, report, or treat inmate sexual assaults and that prison rape often goes unreported. Finally, the conferees understand that Congress will legislatively address this issue during the First Session of the 108th Congress.

In order to immediately address this problem, the conference agreement includes $13,000,000 for a new prison rape prevention and prosecution program. This funding is provided for statistical data collection and analysis, the establishment of a national clearinghouse of information, and will provide grants to States, local authorities, prisons, and prison systems to undertake more effective efforts to prevent prison rape, investigate such incidents, and punish the perpetrators. The conferees expect OJP to work with the Committees on Appropriations in the development of this program.

Senior citizens against marketing scams.—The recommendation provides $1,995,000 for this program to assist law enforcement in preventing and stopping marketing scams against the elderly. The conferees request that some program sessions be held at the National Advocacy Center. Also, the conferees direct that this effort be coordinated with the Federal Trade Commission.

Terrorism Prevention and Response Training for Law Enforcement and Other Responders.—The conference agreement includes $15,000,000 for terrorism prevention and response training for law enforcement and other responders to be administered by the Bureau of Justice Assistance (BJA). The conferees expect the grant approval process to include a review of training curricula and materials to ensure that grantees are using up-to-date training techniques. BJA is encouraged to work with the Office of Domestic Preparedness in the execution of this program. This program shall be available for the costs of developing training, conducting training, and procuring training equipment and materials.

Within the amounts appropriated, the conferees expects BJA to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$500,000 for the Iowa Central Community College regional first responder training center;

$1,000,000 for the Onondaga Community College for a Regional Anti-Terrorism Training Center;

$1,000,000 for the University of Tennessee Center for Homeland Security and First Responding Training;

$3,000,000 for the National Terrorism Preparedness Institute of the Southeastern Public Safety Institute of St. Petersburg College;

$300,000 for the City of Arcadia, CA for a regional public safety training facility;

$250,000 for Southern Kane County, IL Fire Training Facility for first responders including both fire and law enforcement personnel;

$1,000,000 for the Southern Anti-terrorism Regional Training Academy;

$500,000 for the Northeast Wisconsin Technical College's Tactical Training Facility in Green Bay, WI;

$2,000,000 for the National Community Training and Response Center at Kirkwood Community College in Cedar Rapids, IA;

$500,000 for the Public Safety Academy in the Santa Clarita Valley, CA;

$1,000,000 for the Regional Counter-Drug Training Academy in Meridian, MS for anti-terrorism training for first responders;

$500,000 for the Regional Public Safety Center in Erie County, NY for first responder training programs in the Erie and Buffalo region;

$544,000 for the Criminal Justice Academy at Brevard Community College in Coca, FL for first responder training;

$150,000 for Williamson County, TX to purchase a portable testing chamber to train officers to function under chemical and biological warfare conditions;

$100,000 for Armstrong County, PA for a centralized homeland security training center;

$750,000 for the Essex County, NJ Office of Emergency Management for response training and equipment;

$400,000 for the Las Vegas, NV Metropolitan Police Department for defense and disaster response training and equipment;

$150,000 for the Lowell, MA Police Department for civilian emergency response team training;

$250,000 for the City of Norfolk, VA Police Department's Anti-terrorism and Disaster preparedness program;

$200,000 for the New Mexico State University to develop homeland security related education and training programs and identify and threats;

WEED AND SEED PROGRAM FUND

The conference agreement includes $58,925,000 for the Weed and Seed program.

COMMUNITY ORIENTED POLICING SERVICES

The conference agreement includes $928,912,000 for the Community Oriented Policing Services (COPS). The conference agreement provides funding under this account as follows:

COMMUNITY ORIENTED POLICING SERVICES

[Dollars in thousands]

	Amount
Public Safety and Community Policing:	
Law Enforcement Hiring/Overtime	$200,000
Training and Technical Assistance	20,662
Tribal Law Enforcement	35,000
Police Corps	15,000
Methamphetamine Enforcement & Clean-up	57,132
Bulletproof Vests	25,444
Subtotal, Public Safety and Community	353,238
Crime-Fighting Technologies:	
Law Enforcement Technology Program	189,954
Interoperability	20,000
(Transfer to the BJA)	(3,000)
(Transfer to NIST—OLES)	(5,000)
Crime Identification Technology Act	69,075
(Safe Schools Technology)	(17,000)
National Criminal History Improvement	40,000
Crime Laboratory Improvement Program	40,538
DNA Backlog Elimination	41,000
Subtotal, Crime-Fighting Technologies	400,567
Prosecution Assistance:	
Southwest Border Prosecutors	40,000
Gun Violence Reduction Program	45,000
Subtotal, Prosecution Assistance	85,000
Community Crime Prevention:	
Police Integrity	16,963
Offender Reentry	14,934
School Safety Initiatives	15,210
Project Sentry	10,000
Subtotal, Community Crime Prevention	57,107
Management and Administration	33,000
Total, Community Policing Services	928,912

COPS Hiring Program.—The conference agreement includes $200,000,000 for the hiring of law enforcement officers, including school resource officers, to prevent acts of terrorism, and other violent and drug-related crimes. The budget request did not include any funding for this purpose. Through its knowledge of the local communities and interaction with citizens, local law enforcement plays a critical role in preventing and detecting terrorism and sharing this information with State and Federal law enforcement. The conferees also recognize that while local law enforcement responsibilities have expanded to include counterterrorism since September 11th, daily crime prevention and law enforcement duties must still be performed. Further, the conferees recognize that it is local law enforcement's role to respond to citizen concerns and alleviate fears related to terrorism and other violent crimes. The conferees expect the COPS Program Office to ensure the appropriate emphasis on law enforcement's role in combating terrorism, violence, and drug crime, and securing our nation's schools.

In addition, the conference agreement makes 30 percent of the funding available for law enforcement overtime costs for training and the prevention of acts of terrorism and other violent and drug-related crimes. The conferees feel that the cities of New York, NY, Detroit, MI and Wayne County, MI may be eligible under this program for anti-terrorism efforts.

The conferees also recognize that State and local law enforcement agencies depend on technology and communications equipment to perform their jobs safely and effectively. Therefore, the conference agreement includes language for a new communications technology grant program under the COPS Crime-Fighting Technologies section of this report.

Within the level of funding provided, the conferees expect the COPS office to provide training to assist school resource officers in preventing terrorist acts aimed at schools. The officers will be trained in non-intrusive defensive measures to reduce the vulnerability of schools to terrorist attacks and offensive measures to prevent, deter, and respond to terrorism. The conferees direct that a report be provided to the Committees on Appropriations no later than 60 days after enactment of this Act to include a spending plan for this effort and the hiring and overtime effort described above.

Police Corps.—The conference agreement includes $15,000,000 for the Police Corps program. The conferees understand that sufficient prior year unobligated balances exist to allow the program to maintain at least its current level. The conference agreement includes bill language, as requested, providing that funding agreements shall include the funding for outyear program costs of new recruits. This language is necessary to prevent the program from incurring unfunded future liabilities as new recruits enter the program.

The conferees understand that in fiscal year 2002 there were 22 States training recruits in the Police Corps programs. Within the available funding, including carryover balances, OJP is expected to fund additional programs as more State programs meet OJP program criteria. The conferees understand that Public Law 107–273 authorizes increased payments for scholarships, educational reimbursements, and stipends for trainees. However, the Administration's budget request did not include additional funding to accommodate these increased costs. Therefore, in order to ensure there are sufficient resources to fund additional training programs, the conference agreement directs OJP to continue to provide payments at the levels authorized in fiscal year 2002. In addition, the conference agreement directs OJP to standardize the funding provided for recruit training and require State matching funds for training costs. The conference agreement directs OJP to submit a Police Corps financial plan no later than 180 days after enactment of this Act.

The conferees expect OJP to work with State Police Corps programs to ensure these programs are providing effective and up-to-date terrorism prevention and response training. The conferees also recognizes that every State will not implement a Police Corps program and that the vast majority of law enforcement training will not be performed in Police Corps programs. The conferees direct OJP to submit a report no later than 180 days after enactment of this Act, describing how successful Police Corps training techniques can be incorporated in State and local law enforcement academies in order to maximize the number of recruits that receive this advanced training. The report shall also describe OJP's efforts to incorporate terrorism prevention and response training into the Police Corps program and discuss the feasibility of establishing regional Police Corps training centers.

Indian Country.—The conference agreement includes $35,000,000 to be used to improve law enforcement capabilities on Indian lands and native villages, both for hiring uniformed officers, including village public safety officers, and for the purchase of equipment and training for new and existing officers. The conferees recommend that five percent of these funds be provided directly to tribal judicial systems to assist Tribal courts with the increased caseload associated with the increased arrests as a result of the additional funds for tribal law enforcement.

Methamphetamine Enforcement and Clean-Up.—The conference agreement includes $57,132,000 for State and local law enforcement programs to combat methamphetamine production and distribution, to target drug ''hot spots,'' and to remove and dispose of hazardous materials at clandestine methamphetamine labs.

Within the amount provided, the conference agreement includes $20,000,000 to reimburse the Drug Enforcement Administration (DEA) for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs.

In addition, within the amount provided, the conferees expect the COPS Program Office, in consultation with DEA, to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

$415,000 for the Oklahoma Bureau of Narcotics and Dangerous Drug Control to properly train and equip officers for operations involving clandestine methamphetamine labs;

$150,000 for the Criminal Justice Institute at the University of Arkansas at Little Rock to train rural law enforcement officers in the issues of safety, investigation, and evidence collection related to methamphetamine production;

$1,500,000 for the Indiana State Police to combat the production, distribution, and use of methamphetamine;

$500,000 to the Nebraska State Patrol for a Methamphetamine Drug Use Enforcement and Research Program. Funding is provided for drug treatment, enforcement enhancements, and laboratory enhancements;

$3,000,000 for the continuation of the Washington State Methamphetamine Program;

$2,200,000 for the Sioux City, Iowa Regional Methamphetamine Training Center, to provide training to officers from eight states;

$500,000 for the Minot State University, ND, rural methamphetamine project;

$800,000 for the Meth Laboratory Eradication Program located in the Ohio Bureau of Criminal Identification and Investigation, Narcotics Section;

$500,000 for the Virginia State Police to assist their efforts in combating methamphetamine;

$100,000 for the Tangipahoa Tri-Parish Meth Task Force for clean-up and equipment;

$750,000 for Marshal, Cullman, Walker and Etowah Counties, AL for methamphetamine initiatives;

$300,000 for the South Central Missouri Drug Task Force;

$300,000 for the Southeast Missouri Drug Task Force;

$125,000 for Cowley County, KS Sheriff's Department for methamphetamine clean-up and enforcement;

$125,000 for Butler County, KS Sheriff's Department for methamphetamine clean-up and enforcement;

$125,000 for Montgomery County and Independence, KS Police Department for methamphetamine clean-up and enforcement;

$1,000,000 for the Methamphetamine Task Force in East Tennessee, to fight the spread of meth labs in this region;

$500,000 for the Arkansas Methamphetamine Law Enforcement Initiative, including the Arkansas State Crime Lab, and the Arkansas State Crime Lab to combat methamphetamine abuse;

$4,000,000 for the California Department of Justice, Bureau of Narcotic Enforcement, for the California Methamphetamine Strategy (CALMS);

$250,000 for the Oklahoma City Police Department for a Methamphetaimine/Drug Hot Spots Initiative;

$250,000 for Polk County, FL Sheriff's Department to combat methamphetamine production, distribution, and abuse;

$750,000 for the Pennyrile Narcotics Task Force in Madisonville, KY;

$250,000 for Lincoln County, OR for methamphetamine intervention and enforcement;

$400,000 for Marion County, OR for methamphetamine surveillance, search, and seizure training and equipment;

$100,000 for the Jackson County, AL Sheriff's Office Methamphetamine Enforcement Program;

$525,000 for the Lee County, SC, Sheriff's Department methamphetamine program;

$500,000 for the Orangeburg County, SC Sheriff's Department to fight methamphetamine;

$505,000 for the Cherokee Nation Methamphetamine Enforcement and Biohazard Disposal Program in Tahlequah, OK;

$600,000 for the Jackson County, IL Sheriff's Department to establish a methamphetamine lab dismantling project;

$500,000 for Tennessee's 13th Judicial District Drug Task Force to combat methamphetamine production;

$500,000 for personnel, training, and equipment under the Arizona Methamphetamine Initiative;

$1,000,000 for the Iowa Crime Free Rural State Program;

$1,000,000 for the Iowa Office of Drug Control Policy to combat the spread of methamphetamine in east central counties through intelligence gathering, enforcement, and lab clean up operations;

$4,000,000 for Hawaii County, Hawaii to carry out enforcement, prosecution, and cleanup activities associated with the manufacture, use, and distribution of methamphetamine;

$250,000 for the Jackson County, Mississippi Sheriff's Department to combat methamphetamine;

$200,000 to Marion County, Oregon for its Meth Lab Surveillance and Eradication project, which will provide law enforcement with training, equipment, and an improved communications system;

$750,000 for the Mississippi Bureau of Narcotics to combat methamphetamine and to train officers on the proper recognition, collection, removal, and destruction of methamphetamine;

$1,000,000 for the Missouri Drug Eradication Initiative;

$1,500,000 for MoSmart. Funding is to assist sheriffs and rural drug task forces in combating methamphetamine production, use, and distribution by providing needed equipment, training, and lab clean up resources;

$1,000,000 to the Central Utah Narcotics Task Force for the Sevier Region Methamphetamine Project;

$500,000 for the Iowa Office of Drug Control Policy to combat the spread of methamphetamine in south central Iowa through intelligence gathering, enforcement, and lab clean-up operations;

$500,000 to the Vermont Department of Public Safety to support the Vermont Drug Task Force;

$1,400,000 for the Wisconsin Methampetamine Law Enforcement Initiative;

COPS Interoperable Communications Technology Program.—The conference agreement provides $20,000,000 for the Office of Community Oriented Policing Services (COPS) Interoperable Communications Technology program. This program should be designed and implemented by the COPS Office, in coordination with the National Institute of Justice's Advanced Generation of Interoperability for Law Enforcement (AGILE) program and the Bureau of Justice Assistance (BJA). The conferees seek to utilize the expertise of all three organizations so as to create a grant program that is highly responsive to the immediate needs of the State and local law enforcement community.

This program should address the critical need of law enforcement to improve cross-jurisdictional communication and information sharing. The conferees direct the COPS Office to develop and submit to the Committee, no later than 60 days after the implementation of this Act, proposed guidelines for the program. In addition, this program should be coordinated with other Federal grant programs designed to address communications interoperability, so as to develop a comprehensive strategy for improving the current state of public safety communications systems. Consistent with the COPS Office's existing grant programs, the COPS Interoperable Communications Technology program should include a 25 percent match requirement.

The conferees understand and support the need for minimum standards for law enforcement communications technology. Therefore, within the amount provided, the conferees direct that $5,000,000 be transferred to the National Institute of Standards and Technology to continue the efforts of the Office of Law Enforcement Standards (OLES) regarding the development of a comprehensive suite of minimum standards for law enforcement communications. In addition, to continue the research and development of improved communications technologies, the conferees direct that within the amounts provided, $3,000,000 is to enhance the current program level for NIJ's AGILE program.

Law Enforcement Technology Program.—The conference agreement includes $189,954,000 for the COPS Law Enforcement Technology Program for the continued development of technologies, communications equipment, and automated systems to assist State and local law enforcement agencies. The conferees realize that a large portion of the projects funded under this account are for enhanced communications systems. The conferees expect that, wherever feasible, voice/data communications equipment purchased with funds from this account be incorporated into an intra- or inter-jurisdictional strategy for communications interoperability among Federal, State, and local public safety first responders.

Within the amounts provided under this account, grants should be provided for the following:

$5,000,000 to I-Safe America for internet safety education for grades K–12 to prevent child predation on the internet;

$7,100,000 for the Southwest Border Anti-Drug Information System of which $3,500,000 is to go to the State of Idaho;

$1,000,000 for the Downriver Mutual Aid Data Network for an 800mhz digital communications system;

$500,000 to the Sandy City, Utah Police Department for an automated records storage and communications system to operate in conjunction with the court system;

$3,000,000 for Law Enforcement On-Line (LEO) information system which provides criminal justice information to law enforcement agencies throughout the country;

$3,000,000 for the City of Milwaukee, Wisconsin's Police Department to purchase and install mobile digital radios in its squad cars, and to increase public access to data through GIS crime-mapping and other technologies;

$1,000,000 for the County of Bergen, New Jersey to implement a multi-agency radio communications system that will provide interoperability capability across all agencies and integrate the operations of the Bergen County government;

$1,000,000 for the New Castle County, Delaware Police Department for a new records management system, additional computers and software, and surveillance equipment;

$350,000 for the City of Huntsville, Alabama to upgrade computer systems in police headquarters and district stations;

$1,000,000 for Project Hoosier SAFE–T, a statewide emergency response and telecommunications project;

$800,000 to the Rockdale County, Georgia Sheriff's Office to purchase mobile data computers and in-car video systems;

$5,000,000 for the Stark County Sheriff's Department, OH for a law enforcement communications system;

$2,500,000 for the Regional Law Enforcement Technology Program in KY;

$4,000,000 for the Simulated Prison Environment Crisis Aversion Tools for programs in Alabama, North Carolina, and Pennsylvania;

$100,000 for Loudoun County, VA for a court automation modernization project;

$200,000 for a New Orleans Metropolitan Crime Commission;

$100,000 for the St. Tammany Parish, LA Sheriff's Office for law enforcement technologies;

$50,000 for the Slidell, LA Police Department for technologies to increase information sharing;

$50,000 for the Jefferson Parish, LA Sheriff's Office for law enforcement technologies;

$50,000 for the Harahan, LA Police Department for systems to assist in the investigating, responding to and preventing crimes;

$219,000 for the Virginia Sheriff's Association Terrorist Information Network;

$3,000,000 for the Center for Criminal Justice Technology;

$1,250,000 for the San Diego County, CA Sheriff's Department for automation infrastructure improvements;

$1,500,000 for Morris County, NJ for police communications and law enforcement technologies;

$765,000 for video cameras for Virginia law enforcement vehicles in the jurisdictions of: $100,000 for Henry County, $100,000 for Pittsylvania County, $40,000 for Franklin County, $40,000 for Mecklenburg County, $40,000 for Halifax County, $40,000 for Campbell County, $25,000 for Appomattox County, $25,000 for Charlotte County, $25,000 for Lunenburg County, $25,000 for Brunswick County, $100,000 for Albermarle County, $25,000 for Bedford County, $25,000 for Cumberland County, $25,000 for Prince Edward County, $25,000 for Buckingham County, $25,000 for Nelson County, $25,000 for Greene County, $25,000 for Fluvanna County, $15,000 for the City of Bedford, and $15,000 for the Town of Rocky Mount;

$155,000 for mobile data terminals for the Albermarle County, VA Police Department ($50,000) and the cities of Charlottesville VA ($40,000), Danville, VA ($40,000), and Martinsville, VA ($25,000);

$50,000 for Pickaway County, OH Sheriff's Department for law enforcement technologies;

$500,000 for Putnam County, IL Sheriff's Department for law enforcement technologies;

$750,000 for the City of Peoria, IL Police Department for law enforcement technologies;

$800,000 for the East Valley Community Justice Center;

$250,000 for the Redlands Police Department, CA for law enforcement technologies;

$500,000 for the City of Louisville, KY for in-car video systems and mobile data terminals;

$100,000 for the Shivley, KY Police Department for in car video systems, mobile data terminals, and video surveillance equipment;

$5,000 for the Jeffersontown, KY Police Department for law enforcement technologies;

$500,000 for the Onondaga, NY Sheriff's Office for law enforcement technologies;

$200,000 for the City of Syracuse, NY Police Department for law enforcement equipment and technologies;

$1,100,000 for the National Training and Information Center (NTIC);

$1,000,000 for Pinellas County, FL for a facial recognition program;

$1,000,000 for the City of Largo, FL Police Department for laptops/mobile data terminals in vehicles;

$1,000,000 for the Florida Department of Corrections for a system to electronically monitor criminal probationers and link their location to crime events;

$500,000 for the Hanover County, VA Sheriff's Office for communications upgrades;

$250,000 for the City of Winston-Salem, NC for mobile data terminals;

$250,000 for the Riverside, CA Police Department for technology enhancements;

$72,000 for the Lewis County, WV Sheriff's Department for an upgraded records management system and an automated dispatching system;

$900,000 for the Concord, NC Police Department for a records management project;

$100,000 for DuPage County, IL for a geographic information system;

$500,000 for Cobb County, GA Sheriff's Department for a multi-level law enforcement technology system;

$87,000 for McHenry County, IL for equipment for the McHenry Sheriff's Training Facility;

$60,000 for the Vernon Parish, LA Sheriff's Office for law enforcement technologies;

$200,000 for the Woodland, CA Police Department for law enforcement equipment and technologies;

$150,000 for in-car video cameras and an integrated records management system for the York, PA police department;

$250,000 for the Orange County, Sheriff's Department of Santa Ana, CA for mobile data terminals;

$350,000 for the City of Fort Wayne, IL Police Department for in-car video cameras and mobile data terminals;

$500,000 for the Lafourche Parish, LA Sheriff's Department for investigative equipment;

$1,500,000 for the Maryland State Police Department for a police vehicle technology system;

$3,000,000 for the State of California for the California Anti-Terrorism Information Center;

$600,000 for the Indianapolis, IN Police Department to upgrade mobile data terminals;

$845,000 for the Williamson County, TX Sheriff's Department for law enforcement technology and training equipment;

$250,000 for Gladstone, OR for a public safety communications system upgrade

$1,000,000 for the Texas State University System to develop an integrated training and information-sharing network to enhance criminal information;

$70,000 for the City of Harstelle, AL Police Department for technology and equipment enhancements;

$50,000 for the City of Rogersville, AL Police Department for equipment and technology upgrades;

$50,000 for the Limestone County, AL Sheriff's Office for law enforcement technology and equipment upgrades;

$750,000 for the East Providence, RI Police Department for technology upgrade initiatives;

$300,000 for the Lincoln, RI Police Department for technology upgrade initiatives;

$500,000 for the Woonsocket, RI Police Department for technology upgrade initiatives;

$2,000,000 for the Los Angeles, CA County Sheriff's office for a training equipment;

$600,000 for the Arkansas Crime Information Center for phase II of the JailNet system;

$250,000 for the Williamsburg County, SC Sheriff's Office to implement a communications network;

$600,000 for the City of Toledo, OH for technology upgrades and enhancements for three district police stations;

$867,000 for the Arlington County, VA Police Department to obtain Mobile Data Terminals and upgrade its records management system;

$300,000 for the Fitchburg, MA Police Department for online booking/laser technology;

$1,500,000 for the Phoenix, AZ police department for law enforcement equipment including laptop replacements;

$550,000 for Avondale, AZ for a new police data retrieval and records management system;

$100,000 for Lake County, IN to enhance the Law Enforcement Management System;

$600,000 for Porter County, IN to install a Tiburon integrated public safety computer system;

$350,000 for the City of New Bedford, MA Police Department for technology upgrades;

$500,000 for Broward County, FL for technological security improvements at Port Everglades, FL;

$1,000,000 for Worcester Polytechnic Institute in Worcester, MA for law enforcement and first responder technologies;

$1,000,000 for the Cities of Bayamon and Guaynabo, PR for law enforcement technologies;

$1,000,000 for the Puerto Rico Police Department to purchase portable radios;

$400,000 for the Suffolk County, NY Police Department for enhancements and additions to existing communications systems;

$35,000 for the Eastchester, NY Police Department for in-car technologies;

$50,000 for the City of Rialto, CA for anti-terrorist technology;

$1,000,000 for the Bayonne, NJ Police Department for radio system replacement;

$500,000 for the City of Elizabeth, NJ to equip a Communication Command Center;

$500,000 for the City of Hoboken, NJ to upgrade a radio communication system;

$250,000 for the Los Angeles County, CA Sheriff's Department for a mobile communications system;

$250,000 for Orange County, CA for Mobile Data Terminals;

$111,000 for the San Louis County, CA Sheriff's Department for law enforcement technologies;

$250,000 for the Government of the Virgin Islands to obtain high technology crime fighting equipment;

$200,000 for the Denver, CO public safety intelligent integration project;

$500,000 for the seamless emergency communications network for the Imperial Valley Emergency Communications Agency;

$200,000 for the City of Houston, TX to implement the Enhanced Video Imaging Initiative;

$500,000 for the National Center for Rural Law Enforcement's Internet Project;

$250,000 for the Beaverton, OR Police Dept. Identity Theft program;

$1,000,000 for the City of New York, NY to equip a new police laboratory;

$200,000 for the Borough of Tinton Falls in Monmouth County, NJ for law enforcement and emergency communications upgrades;

$50,000 for the Borough of Frenchtown, NJ Police Department for in-car video cameras;

$100,000 for the City of Jackson, TN to purchase and install Mobile Data Terminals in police cars;

$3,000,000 for Tucson, AZ for public safety communications upgrades, of which $1,000,000 shall be for Cochise County;

$1,000,000 for Harris County, TX for a 911 emergency network;

$1,000,000 for Placer County, CA for public safety communications upgrades;

$500,000 for the City of Roseville, CA to improve communications among public safety agencies;

$750,000 for the City of Springfield, OH for communications upgrades;

$170,000 for Delaware County, NY for a communications system upgrade study;

$250,000 for the DuPage County, IL Emergency Operations Center for equipment upgrades;

$157,000 for the City of Rancho Cucamonga, CA for an emergency communications program;

$350,000 for the City of Upland, CA communications and technology upgrades;

$500,000 for Washington County, MD for a multi-jurisdictional radio communications system;

$2,000,000 for Greene County, MO for interoperable communications system for first responders;

$250,000 for Warren Township, NJ for emergency communications equipment;

$500,000 for Glades County, FL for emergency communications equipment;

$1,000,000 for the City of Chesapeake, VA public safety departments for a computer aided dispatch system;

$500,000 for Imperial County, CA for the development of an inter-agency emergency communications system;

$500,000 for Sevier County, TN for interagency communications equipment;

$500,000 for Hennepin and Caver counties, MN for a regional public safety communications system;

$250,000 for North Hempstead, NY Department of Public Safety for communications upgrades;

$500,000 for Kenosha, WI to modernize communications capabilities between police, fire and public safety agencies;

$1,000,000 for the City of Virginia Beach, VA to upgrade technology and infrastructure at the city's emergency communications and operations center;

$500,000 for Stamford, CT to upgrade emergency response infrastructure;

$500,000 for Franklin County, PA Emergency Management Agency for communications equipment;

$1,000,000 for the Colorado Division of Information Technologies for a seamless Statewide wireless communications system;

$500,000 for Pasco County, FL to upgrade communications equipment;

$500,000 for LaSalle County, IL for a county-wide public safety communications system;

$1,000,000 for the County of Salt Lake, UT for consolidation of the 911 dispatch system;

$750,000 for the City of Abilene, TX for purchase of emergency response and public safety communications equipment;

$500,000 for the State of Alabama for a statewide homeland defense network;

$860,000 for Matteson, IL for a SouthCom Combined Dispatch Center;

$978,000 for the South Suburban Mayors and Managers Association in East Hazel Crest, IL for a pilot joint dispatch center and regional law enforcement technology center;

$2,000,000 for City of Detroit, MI, homeland security technology and training needs;

$1,500,000 for the Twin Cities, MN area for communications radios for the Metro Radio Board;

$500,000 for the city of Madison, WI to create a consolidated 911 Computer Aided Dispatch and Records Management System;

$1,000,000 for the Lower Rio Grande Valley Development Corporation to establish a regional first responder communications system;

$250,000 for the Los Angeles County, CA Sheriff's Department for a mobile communications system;

$250,000 for the City of Belmont, CA to upgrade emergency communications technology;

$176,000 for Center Line, MI to upgrade records and dispatch system;

$250,000 for the Southwest Central Dispatch in Illinois for equipment upgrades;

$250,000 for the Lumber River Council of Governments in North Carolina for a critical incident communication system;

$1,000,000 to the City of Owensboro, Kentucky and Daviess County, Kentucky to implement an improved emergency responder and 911 operations system;

$250,000 to the City of Flint, Michigan for upgrades to its 911 emergency response system;

$500,000 for the Abilene, Texas Police Department to upgrade and expand the emergency response and communications network;

$2,000,000 to the State of Alaska to build statewide shared multi-agency communications network;

$1,500,000 for the Alaska Department of Public Safety to upgrade its communications systems;

$100,000 for the Brooklyn, Ohio Police Department to purchase a computer aided dispatch system and mobile data terminals;

$500,000 for Brown County, South Dakota to replace radio equipment, modernize the telephone infrastructure, and purchase computer-aided dispatch technology for the county's Regional Communications Center;

$1,310,000 to the City of Jackson, Mississippi for the public safety automated technologies system;

$300,000 for South Dakota's Cheyenne River Sioux Tribe to modernize its current court system by upgrading computer systems and acquiring court service processors;

$200,000 to the Choctaw County, Alabama Emergency Management Agency for a Emergency Warning Notification System;

$1,400,000 for the City of Cincinnati, Ohio to implement a record management system;

$750,000 to the City of Seattle, Washington for digital video surveillance cameras;

$2,000,000 to the City of Oceanside, California to upgrade the public safety radio system;

$30,000 to the Charter Township of Mt. Morris, Michigan for closed circuit video camera technology;

$7,500,000 for a grant to the Southeastern Law Enforcement Technology Center's Coastal Plain Police Communications initiative for regional law enforcement communications equipment. The state capitol of Columbia should be given due consideration in this year's implementation;

$250,000 to the Columbia, Mississippi Police Department for technology;

$3,000,000 for the Consolidated Advanced Technologies for Law Enforcement (CAT lab) Program;

$910,000 for the City and Borough of Juneau, Alaska for equipment and technology enhancements at the Juneau Dispatch and Evidence Center;

$300,000 for the City and Borough of Ketchikan, Alaska for an Emergency and 911 Dispatch system;

$3,000,000 to Montgomery County, Maryland to establish an integrated criminal justice information system;

$1,500,000 for the Rockville, Maryland Police Department to upgrade communications, records management, and emergency services systems;

$750,000 to the City of Wasilla, Alaska for a regional dispatch center;

$800,000 for the City of Jackson, Tennessee to install mobile data terminals in police vehicles;

$1,000,000 to the City of Memphis, Tennessee to install a regional law enforcement communications system;

$350,000 for Cowlitz County, Washington to replace its emergency response radio system;

$950,000 to George Mason University in Virginia for equipment for the Critical Infrastructure Protection Project (CIPP);

$150,000 for Curry County, Oregon to fund upgrades and repairs needed to maintain the integrity of the communications system;

Up to $3,000,000 for the acquisition or lease and installation of dashboard mounted cameras for State and local law enforcement on patrol. One camera may be used in each vehicle, which is used primarily for patrols. These cameras are only to be used by State and local law enforcement on patrol;

$1,500,000 for the Delaware State Police to upgrade communications and video capabilities, purchase a real-time x-ray machine, and portable receivers;

$250,000 to the City and County of Denver, Colorado for an intelligent emergency service dispatch system;

$1,000,000 for the City of Des Moines, Iowa to develop a regional geographic information system that will enhance homeland defense and emergency response capabilities;

$500,000 to Eau Claire County, Wisconsin's Police Communications Project for a computer aided dispatch and records management system;

$2,250,000 for the Montana Public Safety Services Office to acquire enhanced 9–1–1 communications technology;

$810,000 for Hamilton County, Ohio to replace and upgrade the current dispatch system;

$2,500,000 to the Harrison County, Mississippi Sheriff's Department for the Public Safety Automated Systems project;

$400,000 to the Indianapolis, Indiana Police Department to upgrade the existing laptop computer system to a wireless land area network;

$850,000 to the National Center for Victims of Crime INFOLINK Program;

$500,000 for Jefferson County, Alabama to upgrade the public safety radio system and improve interoperability;

$1,000,000 to the Johnson County, Kansas Sheriff's Department for a computer-aided dispatch system;

$200,000 for the Town of Johnston, Rhode Island to acquire mobile data computers, a video surveillance system for police headquarters, and an automated telephone system;

$1,000,000 to the State of Kansas for the Public Safety Communications Network;

$25,000 to Bath and Menifee Counties in Kentucky for the purchase of law enforcement equipment;

$60,000 to the Rowan County, Kentucky Sheriff's Office and the Morehead Police Department for the purchase of radar units, mobile cameras, communications equipment, a records management system, and other investigative equipment;

$95,000 for Leake County, Mississippi for police technology and equipment;

$1,500,000 for the Louisiana Commission on Law for a Statewide Technology Coordination Project;

$1,500,000 to the City of Madison, Wisconsin Police Department's Consolidated Communications Project for new hardware, software, data conversion, training, and project administration;

$1,000,000 to the Maine State Police for a new voice and data communications system;

$2,250,000 for Minnehaha County, South Dakota to upgrade its existing communications system and to link with the new State of South Dakota Radio System;

$250,000 to the Madisonville, Kentucky Police Department for mobile data terminals;

$20,000 to Moody County, South Dakota for upgrades to the emergency response communications system;

$750,000 to the Town of Mountain Village, Colorado for a regional public safety communications system;

$4,750,000 to the Pegasus Research Foundation, Inc., in coordination with the National Sheriff's Association for a multi-state information system that will enable local law enforcement agencies to share important criminal justice information;

$200,000 to the Kenton County, Kentucky Sheriff's Office for communications system improvements;

$400,000 to the New Hampshire Department of Public Safety to provide equipment and technology to ten small law enforcement agencies throughout New Hampshire;

$750,000 for the New Jersey Marine Police Patrol for technology upgrades.

$300,000 to the Newago County Office of Administration for the acquisition of an 800mhz digital communications system;

$500,000 to the New Hampshire Police Standards and Training Facility to purchase technology and equipment for training recruits;

$300,000 for the Billings, Montana Police Department for vehicle enhancements, including automatic vehicle locators, in-car report writing modules, and mobile roaming technology;

$515,000 for the Lubbock, Texas Police Department to purchase mobile data terminals and related software;

$500,000 for the County of Passaic, New Jersey for the purchase of a trunked radio system;

$1,500,000 for the Oklahoma Department of Public Safety to provide comprehensive radio and data communications capabilities for all emergency response agencies units in Oklahoma;

$200,000 for the Louisville-Jefferson County, Kentucky Public Safety Communications System to study requirements and develop a plan to implement a common interoperable voice and data communications system for public safety organizations in the metropolitan area;

$200,000 to the City of Santa Rosa, California for radio communications and emergency response systems upgrades;

$1,500,000 to the North Carolina State Highway Patrol for the development and implementation of an interoperable Voice Trunking Network (VTN) real-time voice communication system throughout the state;

$300,000 to REJIS for the establishment of a computer information system to serve the St. Louis Region;

$2,000,000 for the Montana Sheriff's & Peace Officers Association for a reverse 9–1–1 system which will allow State and local officials to distribute emergency information to citizens over their phone lines using auto-dialing technologies;

$750,000 to San Miguel County, New Mexico Emergency Services for a county wide communications system;

$850,000 to Simpson County, Mississippi for a public safety automated technologies system;

$1,500,000 for South Dakota's Sheriffs and Police Chiefs Association to acquire communications equipment, computers, and other crime-fighting technologies;

$2,000,000 for a grant for the Southeastern Law Enforcement Technology Center to partner with SPAWAR System Center Charleston to advance research and development into software radio technology;

$750,000 to the Oklahoma Department of Public Safety for a statewide public safety communications system;

$1,000,000 to Wake County, North Carolina's Department of Public Safety and Emergency Management for technology infrastructure improvements for law enforcement vehicles;

$200,000 for the Pike County, Illinois Sheriff's Department to upgrade law enforcement technologies and modernize equipment;

$50,000 for the City of West Point, Kentucky for the purchase of law enforcement equipment;

$1,500,000 for the training of village public safety officers and small village police offices and acquisition of equipment and technologies;

$250,000 to the Warren County, Mississippi Sheriff's Department for technology enhancements;

$125,000 for the Wilkinson County, Mississippi Sheriff's Department for police technology and equipment;

$1,000,000 for the Wilmington, Delaware Police Department to purchase equipment and technologies;

$300,000 to the Wyoming Law Enforcement Academy in Douglas, Wyoming for technology upgrades;

Crime Identification Technology Act.—The conference agreement includes $69,075,000 to be used and distributed pursuant to the Crime Identification Technology Act of 1998, Public Law 105–251. Under that Act, eligible uses of the funds are (1) upgrading criminal history and criminal justice record systems; (2) improvement of criminal justice identification systems, including fingerprint-based systems; (3) promoting compatibility and integration of national, State, and local systems for criminal justice purposes, firearms eligibility determinations, identification of sexual offenders, identification of domestic violence offenders, and background checks for other authorized purposes; (4) capturing information for statistical and research purposes; (5) multijurisdictional, multiagency communications systems; and (6) improvement of capabilities of forensic sciences, including DNA.

Within the overall amounts recommended, the conferees expect OJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations its intentions for each proposal:

$250,000 for Pennsylvania's Cross Current Corporation Criminal Justice County Integration Project;

$1,500,000 to the Great Cities Universities Coalition in Georgia for criminal justice data gathering and analysis;

$500,000 to the City of Montrose, Colorado for a records management system and related technology to interface with the public safety communications system;

$1,000,000 for Whatcom County, Washington's Multi-Jurisdictional Criminal Justice Data Integration Project to develop and implement an integrated county-wide communications system;

$2,000,000 for the Ohio Bureau of Criminal Investigation to purchase Live-Scan machines for use by Ohio law enforcement agencies;

$200,000 for Henderson County, NC for COPLINK;

$1,000,000 for Harris County, TX Regional AFIS project;

$500,000 for San Bernardino, CA for an electronic crime report filing system;

$1,000,000 for San Bernardino, CA Sheriff's Department, for the SECURES gunshot detection system project;

$1,500,000 for Pinellas County, FL for a laptop interoperability project;

$3,000,000 for the National Forensics Science Technology Center in Largo, FL;

$1,000,000 for the Washington Association of Sheriffs and Police Chiefs (WASPC), for the Jail Booking an Reporting System;

$1,000,000 for the Bi-County Police Information Network in Benton and Franklin Counties, WA;

$250,000 for the Mecklenburg County, NC Criminal Justice Information System project;

$500,000 for the Jefferson County, AL Sheriff's Department for an Identification Based Information System;

$4,000,000 for the Cyber Science Laboratory for developing advanced electronic crime and computer forensics technology for law enforcement;

$250,000 for the King County, WA Sheriff's Office for electronic records and DNA testing;

$500,000 for Ventura County, CA for an integrated justice information system;

$20,000 for Madison Village, OH for a records management system;

$250,000 for Sacramento County, CA Sheriff's Department for records management and communications systems;

$250,000 for the State of Illinois for a fingerprint identification system;

$1,500,000 for St. Louis County, MO, to upgrade and enhance criminal ID technologies for police and sheriff's offices;

$150,000 to the Douglas County Sheriff's Department, Douglas County, WI to upgrade and expand the regional crime information system;

$25,000 for the City of Philadelphia, PA, for an electronic fingerprint scanner to connect to state-wide information;

$750,000 for the North Carolina State Attorney General, for a Computer Forensics Initiative;

$1,700,000 for Hennepin County, MN for an integrated criminal database system;

$400,000 for the City of New York to collect and provide digital identification evidence to support domestic violence cases;

$40,000 for the Eastchester, NY Police Department for an electronic fingerprinting ID system;

$650,000 for the City of Portland, OR Police Department for the IBIS system;

$100,000 for Wagoner County, OK for the Sex Crime Offender Registration Enforcement (SCORE) program;

$500,000 for development of the San Diego Police Department's Criminal Records Management System;

$750,000 for Lane County/Springfield/Eugene, OR for law enforcement area information records system;

$500,000 to the Arkansas Crime Information Center and the Arkansas Sheriff's Association for Phase II of the JailNet project;

$1,000,000 to the Arkansas State Police for an automated fingerprint identification system;

$500,000 to the Ogden City, Utah Police Department for an automatic finger print identification system (AFIS);

$400,000 for a Centralized Sex Offender Registry Program for the State of Colorado;

$1,000,000 for CJIS WareNET to connect all state law enforcement agencies into one information database;

$250,000 to the Ogden City, Utah Police Department for a consolidated records management system;

$2,000,000 for the Alaska Criminal Justice Information System to integrate federal, state, and local criminal records along with social service and other records. It expects the system design to include the capability to provide background checks on potential child care workers for child care providers and families with the permission of the job applicant. The State should consult with the National Instant Check System for technical expertise;

$7,250,000 for the South Carolina Judicial Department to purchase equipment for the integration of the case docket system into a state-of-the-art comprehensive database to be shared between the court system and law enforcement;

$1,000,000 to the Vermont Department of Public Safety for the Criminal Justice Integration System Project;

$1,000,000 to the Minnesota Department of Public Safety for the integrated criminal justice information system titled CriMNet;

$100,000 to the Ogden City, Utah Police Department for a facial recognition system;

$250,000 to the City of Gulfport, Mississippi for the Gulfport Critical Incident Response Technologies;

$1,000,000 to the Missouri Office of the State Court Administrator for computer upgrades and modernizations of the juvenile court system;

$450,000 to implement a Louisiana Statewide Sex Offender Database;

$800,000 for the Low Country Information Technology Improvement Project;

$250,000 for the Offenders' Unified Tracking for Rehabilitation, Enforcement, Assistance, and Community Health (OUTREACH) program at the University of Pennsylvania Lee Center of Criminology;

$2,800,000 for the South Carolina Law Enforcement Division to obtain equipment, convert existing databases and integrate systems for accurate and rapid processing of information to support identifications for criminal and civil purposes;

$250,000 to the South Bend, Indiana Police Department for the purchase of an automated fingerprint imaging system (AFIS);

$500,000 for the Syracuse University Cross-Information Language Retrieval system to assist law enforcement in the search and analysis of foreign Internet document databases;

$1,800,000 to upgrade automated fingerprint identification systems (AFIS) in Hawaii;

$850,000 for the University of Southern Mississippi for crime identification technology training;

Crime Laboratory Improvement Program.—The conference agreement includes $40,538,000 for the crime laboratory improvement program.

DNA Backlog Elimination.—The conference agreement includes $41,000,000 to reduce the DNA sample backlog including the testing of date rape kits. Within this amount, $5,000,000 is available for Paul Coverdell Forensics Sciences Improvement grants.

Within the overall amounts recommended for the Crime Laboratory Improvement and DNA Backlog Elimination Programs, the OJP should examine each of the following proposals, provide grants if warranted, and

submit a report to the Committees on its intentions for each proposal:

$1,250,000 for the Florida Gulf Coast Univerisity for DNA testing center to help train students to work in DNA laboratories;

$1,500,000 for the Commonwealth of Virginia to enhance existing state forensics laboratory capabilities for analysis and training;

$1,500,000 for the Northeast Regional Forensic Institute in Albany, NY;

$500,000 for the Northern Illinois Police Crime Laboratory for forensic science equipment;

$2,000,000 for the State of Maryland and the City of Baltimore DNA Labs to be evenly divided among each;

$3,000,000 for the Iowa State University Midwest Forensics Science Center;

$2,000,000 for the New Jersey State Police for forensics equipment;

$250,000 for the DuPage County, IL Crime Laboratory;

$500,000 for the Center for Forensic Service in Indian Country in Arizona;

$500,000 for the City of Whittier, CA for forensic science equipment;

$2,000,000 for the Department of Justice of the State of California for the Integrated Laboratory Information Management System;

$1,500,000 for the Indiana State Police for the Forensic DNA Analysis Unit to address the backlog;

$500,000 for the Institute for Forensic Imaging at Indiana University Purdue University at Indianapolis;

$30,000 for Williamson County, TX for equipment to analyze both finger and palm prints;

$750,000 for the Forensic Science Center at California State University, Los Angeles;

$1,000,000 for Phoenix, AZ to expand the crime lab's DNA capabilities;

$350,000 for the City of New York, NY to develop a forensic evidence collection training program;

$250,000 for the Sacramento County, CA Sheriff's Department to modernize its data infrastructure;

$250,000 to Allegheny County, Pennsylvania for the Allegheny County Forensics Laboratory for improvements;

$142,900 to the Broome County, New York Government Security Division for a computer and video forensics laboratory;

$1,500,000 to establish the Metropolitan Forensic Science Center in Albuquerque, New Mexico which will serve law enforcement agencies involved in Indian Country;

$800,000 for the Central Piedmont Community College Forensics Lab in North Carolina;

$400,000 for the Birmingham Police Department to improve and update their forensic laboratory;

$400,000 for the Forensics Laboratory at East Stroudsburg University, Pennsylvania to assist Pennsylvania's law enforcement community by expediting the processing of the state's DNA backlog;

$500,000 to the Indiana State Police, Laboratory Division for personnel, equipment, supplies, and contractual needs in order to meet the increased demands on the DNA Analysis Unit;

$400,000 to the Kansas Bureau of Investigation for lab equipment and an information management system to track evidence;

$3,000,000 for the Marshall University (MU) Forensic Science Program in West Virginia;

$750,000 for the Mississippi Crime Lab to improve the state's capability to analyze DNA evidence;

$800,000 to the Ohio Bureau of Criminal Investigation for improvements to its Forensic Science Lab;

$500,000 to the Pikes Peak Metro Crime Lab in Colorado for renovations necessary to meet the demand for DNA analysis services;

$1,500,000 to the South Carolina Law Enforcement Division for equipment to support a federal and state collaboration of investigators and forensics experts to solve high technology crimes through one center;

$2,500,000 to the South Carolina Law Enforcement Division for continued funding to support the growing state and local law enforcement needs in the only full service forensic laboratory in South Carolina;

$970,000 to the Southeast Missouri Crime Lab for modernizations and equipment;

$250,000 to Texas Tech University for the Southwest Institute for Forensic Sciences;

$4,000,000 for the West Virginia University (WVU) Forensic Identification Program;

Southwest Border Prosecutions.—The conference agreement includes $40,000,000 for assistance to State and local prosecutors located along the Southwest border, including the integration and automation of court management systems. This program will provide financial assistance to Texas, New Mexico, Arizona, and California for the State and local costs associated with the handling and processing of drug and alien cases referred from Federal arrests. If additional funding is required for this program, the Committees on Appropriations will consider a reprogramming request under section 605 of this Act.

Offender Reentry.—The conference agreement includes $14,934,000 for the law enforcement costs related to establishing offender reentry programs. Offender reentry programs establish partnerships among institutional corrections, community corrections, social services programs, community policing, and community leaders to prepare for the successful return of inmates to their home neighborhoods. The amount recommended is provided to fund law enforcement participation and coordination of offender reentry programs. The conferees are pleased that the OJP is working in collaboration with the Departments of Labor, Health and Human Services, Housing and Urban Development, and Education in the execution of this program. The conferees encourage OJP to expand its collaboration with these departments to coordinate the resources provided by multiple agencies of the Federal government to address the needs of local communities.

Safe Schools Initiative.—The conference agreement includes $15,210,000 for programs aimed at preventing violence in public schools, and to support the assignment of officers to work in collaboration with schools and community-based organizations to address the threat of terrorism, crime, disorder, gangs, and drug activities.

Within the amount provided, the COPS office should examine each of the following proposals, provide grants if warranted, and submit a report to the Committees on its intentions for each proposal:

$500,000 for the Family, Career and Community Leaders of America (FCCLA) ''Stop the Violence'' program;

$350,000 for the Virginia Attorney General's Office for Class Action and other educational programs in Virginia's schools;

$125,000 for the Rappahannock County, VA Sheriff's Office for a school resource officer program;

$125,000 for the Town of Stanley, VA Sheriff's Office for a school resource officer program;

$500,000 for the Learning for Life program;

$1,000,000 for Wichita, KS for a school safety programs in Wichita Public Schools;

$250,000 for the Pinellas County, FL Police Athletic League;

$500,000 for Palm Beach County, FL School District for security upgrades;

$125,000 for the Ashland County, WI Sheriff's Department for school resource officer program;

$560,000 for Rock in Prevention;

$250,000 for development and implementation of youth mentor programs for the Barrington Police Athletic League;

$500,000 for School District of Philadelphia for school violence prevention;

$500,000 for Toledo, OH Public School's Beacon Academy to serve as an alternative to suspension;

$500,000 for Operation Quality Time;

$1,000,000 for District 29 of Southeast Queens in New York, NY, for a Dial-Up system to strengthen home-school-community communication;

$500,000 for the Anaheim, CA Police Department for their School Gang Officers Division

$150,000 for the City of Rialto, CA for the Police Activities League program;

$500,000 for the Alaska Community in Schools Mentoring Program;

$1,000,000 for the Police Athletic League of New Jersey to implement a short term residential summer camp program for youth;

$850,000 for the East Orange Police Athletics League to provide services and programs, including parenting classes, computer training, GED preparation, mentoring and recreational programs;

$1,000,000 for Wisconsin's Families & Schools Together (FAST) Prevention Program to provide services to at-risk youth;

$60,000 for Washington County, Oregon's Hillsboro Boys and Girls Club Gang Prevention Program which is a targeted outreach program to deter young people from gang involvement;

$400,000 for the New Mexico Police Athletic League to continue the statewide Law enforcement and Professional Business Volunteer Technology and Mentoring program and to expand its program to assist at-risk youth to 14 additional sites;

$1,300,000 for the University of Montana to facilitate a statewide community based curriculum development initiative that promotes responsible behavior and reduces youth violence in schools and communities;

$100,000 for the Jefferson County, Illinois Sheriff's Office and Hamilton-Jefferson County Regional Office of Education to implement a safe schools program;

$500,000 for New Mexico's School Security Technology and Resource Center (SSTAR) to provide public schools with physical security assessments, to test existing school security systems, and to implement tailored security plans;

$1,500,000 to provide community-based, cost-effective alternative programs for juveniles who are, have been or may be subject to compulsory care, supervision or incarceration in public or private institutions in several states including South Carolina;

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $275,306,000 for Juvenile Justice programs, instead of $257,801,000 as proposed by the House and $315,425,000 as proposed by the Senate. The conference agreement provides for the following programs:

Juvenile Justice Programs

(Dollars in thousands)

	Amount
Management/Administration	$6,832
State Formula Grants	83,800
Discretionary Grants	89,257
Youth Gangs	11,974
State Challenge Activities	9,978
Juvenile Mentoring	15,965
Incentive Grants to Prevent Juvenile Crime	46,500

	Amount
(Enforcing Underage Drinking Laws)	(25,000)
(Indian Youth Grants Program)	(12,472)
(Safe Schools Initiative)	(6,500)
Subtotal, Juvenile Prevention Programs	264,306
Victims of Child Abuse Act Programs	11,000
Total	275,306

Discretionary Grants.—The conference agreement includes $89,257,000 for this discretionary grant program. Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations of the House and Senate on its intentions.

$840,000 for Oregon Partnership for Champions for Healthy Kids and Communities initiative to combat drug abuse;

$1,500,000 for Girls and Boys Town, USA;

$750,000 for Yellowstone Boys and Girls Ranch for programs assisting at-risk youth;

$1,500,000 for ''I Have a Dream'' Foundation for at-risk youth;

$3,000,000 for the National Council of Juvenile and Family Courts for continued support, which provides continuing legal education and family and juvenile law;

$600,000 for Prevent Child Abuse America for the programs of the National Family Support Roundtable;

$3,000,000 for Parents Anonymous;

$2,500,000 for the South Carolina Truancy and Dropout Prevention Initiative;

$1,250,000 for the Teens, Crime and Community program;

$1,900,000 for law related education for continued support;

$200,000 for the Hazard, KY Buckhorn Wilderness Program;

$3,000,000 for Hamilton Fish National Institute on School and Community Violence;

$500,000 for Youth for Tomorrow;

$1,500,000 for the Harvard Medical School Center for Mental Health and Media for a study into certain causes of youth violence;

$1,000,000 for World Vision for at-risk youth programs;

$500,000 for the First Tee program;

$250,000 for Operation Blue Ridge Thunder;

$1,000,000 for Residential Care Consortium for delinquency prevention programs;

$250,000 for the Detroit Rescue Mission for its High Course Youth Corrections Program for at-risk youth;

$500,000 for the Child Endangerment Response Coalition in Spokane, WA;

$250,000 for the Interagency Family Assessment Team project;

$250,000 for Community Intensive Treatment Program (C.I.T.Y.) and Skills Training Consortium in Alabama for technology investments to be used by the teen centers;

$250,000 for Page County, VA for a juvenile crime prevention program;

$500,000 for the ARISE Foundation for at-risk youth;

$500,000 for Youth Crime Watch of America;

$100,000 for Laurinburg, NC for a juvenile delinquency program;

$500,000 for Orange County, CA Fire F.R.I.E.N.D.S. program, to help reduce juvenile fire setting;

$300,000 for Miami-Dade County, FL Juvenile Assessment Center;

$500,000 for A Child Is Missing;

$200,000 for the Somerville, MA Boxing Club for equipment for at-risk youth programs;

$750,000 for the Brooklyn Academy of Music to help at risk youth and combat teenage delinquency;

$500,000 for the Kennedy Kreiger Institute in MD to create a juvenile delinquency prevention program;

$400,000 for Project AVARY to support programs for at risk youth in California's Bay Area;

$1,000,000 for the Greater Heights Program to provide mentoring to high-risk youth;

$200,000 for the Sports Foundation, Inc., for a focused mentoring program for at-risk youth;

$250,000 for Bristol, RI for development and implementation of an at-risk youth program;

$2,000,000 for the Los Angeles, CA BEST youth program;

$100,000 for the Village of Riverdale, IL for the Riverdale Youth Interaction Program;

$200,000 for the City of Alexandria, VA to implement an alternative detention program for juveniles;

$500,000 for a Family Therapy Clinic at Seton Hill College to assist troubled teens;

$100,000 for the Washington, PA Community Arts and Cultural Center to provide programs for at-risk youth;

$300,000 for the Franklin County, MA Community Coalition of Teens, Youth Substance Abuse Prevention;

$300,000 for the Christian Center's Up-Reach center in Pittsfield, MA;

$200,000 for the Juvenile Day Reporting Center in Durham, NC;

$100,000 for the Culinary Education Training for At Risk Youth program at Johnson & Wales University in Miami Dade County, FL;

$1,000,000 for the Commonwealth Corporation's Diploma Plus program to serve at-risk youth in Massachusetts;

$500,000 for Mother Cabrini HS in New York City to provide at-risk girls with after school tutoring, mentoring, and prevention programs;

$125,000 for the Tilles Center, Long Island University for programs for at-risk youth;

$400,000 for the Father Bellini Association to expand and develop additional programs for ''at-risk'' youth in Northwest Queens;

$250,000 for the City of Mount Vernon, NY for at-risk youth programs;

$250,000 for the New Rochelle, New York City School District for after school programs for at-risk youth;

$500,000 for the Center for Alternative Sentencing and Employment Services, Inc. in New York, NY to help combat teenage delinquency and illiteracy;

$500,000 for the Elysian Valley United Community Services in Los Angeles, CA for youth programs;

$500,000 for Lawrence Hall Youth Services in Chicago, IL to continue delinquency prevention programs;

$350,000 for Path Community Services, Inc. in El Paso, TX for an after school program for at-risk youth;

$150,000 for the Catholic Charities Maine Rapid Response program for at-risk youth;

$100,000 for Fresno County, CA for the Keep Kids in School program;

$180,000 for the Lafayette Parish, LA Sheriff's Office Youth Academy;

$200,000 for the Children Who Witness Violence program in Cuyahoga County, OH;

$250,000 for Orleans County, VT for a crime prevention community center for at-risk youth in the Newport Derby region;

$5,000,000 for the Secure Our Schools Act;

$450,000 to the After School and Counseling Programs for At-Risk Native American Youth in South Dakota;

$200,000 to Task Inc. for a demonstration project with the Circuit Court of Cook County, Illinois to serve non-violent offenders who demonstrate mental illness and/or substance abuse;

$35,000 for the City of Fort Thomas, Kentucky to develop and implement a drug education and prevention program in the school system;

$90,000 to Lewis County, Kentucky and the City of Vanceburg, Kentucky to develop and implement a drug education and prevention program in the school system and provide additional resources to address law enforcement problems associated with drug use;

$100,000 to the Patriot Center in Rockford, Illinois for programs for at-risk youth;

$250,000 to the Birmingham, Alabama Education Technology (BET) Center for at-risk-youth programs;

$2,000,000 for the Cal Ripken, Sr. Foundation for youth prevention programs aimed at leadership, teamwork, and drug prevention;

$200,000 for the Camden City, New Jersey Housing Authority to establish a drug prevention program for children in low income housing developments;

$250,000 to the United Way of Chittendon County, Vermont to continue the Champlain Mentoring Initiative Project;

$290,000 to Charles Mix County, South Dakota for a full-time substance abuse counselor for local youth, and for the expansion of youth programs in Lake Andes and Wagner, South Dakota;

$75,000 to the Nez Perce Tribe in Lapwai, Idaho for the Child Protection Program to coordinate the services of human resource programs;

$4,000,000 to the National Center for Missing and Exploited Children for the Child Sexual Exploitation Campaign to expand services to law enforcement in cases of child pornography, child molestation, and sexual exploitation;

$400,000 to Ohio's Children Who Witness Violence Program for crisis intervention, assessment and treatment services to children and families impacted by violence;

$200,000 for Parents and Children Together (PACT) to provide gang prevention services, counseling and outreach, and supervised, alternative activities to youth in the Kuhio Park Terrace and Kuhio Homes housing units in Honolulu, Hawaii;

$1,500,000 to the University of New Hampshire's Crimes Against Children Research Center;

$300,000 for the Elizabeth Buffum Chace Family Resource Center in Warwick, Rhode Island to provide services for members of the community affected by domestic violence;

$100,000 for the Family Ties Supervised Visitation Services in Wakefield, Rhode Island to provide domestic violence prevention and services;

$1,000,000 to Fox Valley Technical College of Appleton, Wisconsin to increase and expand services offered to local law enforcement involved in the investigation of child abuse and neglect;

$200,000 to From Darkness to Light in Charleston, South Carolina which seeks to prevent child abuse and obtain services for victims of child abuse by providing information about the prevalence and consequences of child sexual abuse;

$1,000,000 to expand and replicate the Beyond Bars program;

$300,000 to the City of Jackson, Mississippi for a juvenile justice program;

$1,000,000 to Western Kentucky University for the Juvenile Delinquency Project;

$390,000 for the Juvenile Fire Setters program in New Hampshire;

$2,000,000 to the State of Alaska for a Child Abuse Investigation Program;

$750,000 to Alaska's LOVE Social Services to establish and enhance after school programs in Fairbanks, AK for at risk youth;

$200,000 to the Second Judicial District Juvenile Justice Center in Albuquerque, New Mexico, for a truancy prevention program to help reduce juvenile delinquency and juvenile crime;

$200,000 for the Boys and Girls Home of Nebraska to expand programs geared towards youth who have committed minor offenses

and/or have unique mental, psychological and behavioral problems;

$500,000 for a statewide at-risk youth mentoring program in Alaska involving community based organization, schools, and nonprofit entities including Boys and Girls Clubs and Big Brother-Big Sisters.

$500,000 for Juvenile Offender Treatment and Prevention Project to provide mental health treatment and prevention services to youth and families involved with or at high risk of involvement with the Tulsa County juvenile justice system;

$500,000 for the Kansas Big Brothers Big Sisters to expand services to all 105 counties in the state;

$500,000 to the City of Los Angeles, California for the Family Violence Program;

$100,000 for Marion County, Oregon's Life Directions Peer Mentoring Partnership which seeks to break the cycle of drug addiction, violent crime, and teenage pregnancy;

$125,000 to Virginia's Lonesome Pine Office on Youth for the continuation of delinquency prevention and youth development programs;

$750,000 to the Low County Children's Center in South Carolina for continued support for a collaborative effort among local organizations in Charleston that provide full services to children who have been abused;

$400,000 for Pennsylvania's Martin Luther King, Jr. Center for Non-Violence to continue its Life Skills program which enables students to work alongside business and industry mentors;

$1,000,000 for the National Child Protection Development and Training Center in Minnesota;

$2,000,000 to the National Center for Missing and Exploited Children for the NETSMARTZ Initiative to expand the program into schools, homes, and youth organization nationwide;

$200,000 for Nevada Child Seekers to assist in locating missing children and providing resources for the families of missing children;

$750,000 for the Afterschool Services Pilot program operated by the New Mexico State University Cooperative Extension Service to serve youth who are at home alone or are unsupervised between 2 and 6 in the afternoon;

$60,000 for the North Shore Youth Council in Long Island, New York to provide family counseling and youth development services to underserved children in the Miller Place and Rocky Point school districts;

$3,000,000 for the 'Innovative Partnerships for High Risk Youth' demonstration;

$200,000 for Prairie View Prevention Services in Sioux Falls, South Dakota to establish a pilot project for the long-term treatment of juvenile methamphetamine abuse and dependence;

$150,000 to the Crow Creek Sioux Tribe in South Dakota for Project Safe;

$400,000 for the Rapid Response Program in Washington and Hancock Counties in the State of Maine;

$250,000 for the Safer Learning Center in Chicago, Illinois for expansion of mentoring and peer-learning programs;

$200,000 to Boysville of Michigan and SER Metro Detroit for the Samaritan Center;

$60,000 for the South Coast Inter-Agency Narcotics Team, Coquilla, OR, for drug prevention;

$580,000 for St. Joseph's Indian School in South Dakota for juvenile delinquency prevention programs;

$100,000 for the St. Louis for Kids program to provide afterschool programs for at-risk elementary school students in inner city St. Louis, Missouri;

$450,000 for the State of Pennsylvania Witness Protection Program;

$900,000 for the Arkansas Boys and Girls Clubs to expand after-school programs, drug and violence prevention activities, and mentoring of at-risk children;

$400,000 for a grant for the Milwaukee Summer Stars Program;

$1,500,000 to The Family Development Foundation in Las Vegas, Nevada for domestic violence prevention and intervention;

$200,000 for the University of Southern Mississippi Juvenile Justice Prevention Partnership program;

$300,000 for a grant to the Vermont Coalition of Teen Centers;

$1,000,000 for the Wisconsin Safe & Sound Program which combines aggressive enforcement, community organizing, and the establishment of ''safe places'' for children to go during non-school hours in Milwaukee's highest crime areas;

$600,000 to Utah State University for the Youth and Families with Promise Program;

$300,000 for the Youth Center of Wyoming Valley, Pennsylvania to provide preventative substance abuse education programs;

$300,000 for the Vermont Department of Employment and Training to establish a statewide young offender reentry system targeted at young men aged 18–21;

$250,000 to Jefferson County, Colorado for the Youth System Improvement Project;

$500,000 for the Youth Violence Prevention Research Project at the University of South Alabama;

$150,000 for the City of Aberdeen, South Dakota to establish a Youth-Adult Partnership of Aberdeen (YAPA) community youth center, which will provide structured out-of-school activities for teens;

$1,000,000 for Kansas YouthFriends to expand the school mentorship program;

Within the level of funds provided, $3,000,000 is available for independent program evaluations.

Youth Gangs program.—The conference agreement includes $11,974,000 for the youth gang program to provide grants to public and private nonprofit organizations to prevent and reduce the participation of at-risk youth in the activities of gangs that commit crimes. Within the level of funds provided, OJP is expected to provide $520,000 for a Northern Virginia multi-jurisdiction anti-gang task force.

Juvenile Mentoring Program (Part G).—The conference agreement includes $15,965,000 for the juvenile mentoring program. Within the amounts provided, OJP is directed to provide $5,000,000 for the Big Brothers/Big Sisters of America program.

At-Risk Children's Program (Title V).—The conference agreement includes $46,500,000 for At-Risk Children's Program.

Safe Schools Initiative.—The conference agreement includes $6,500,000 within Title V grants for the Safe Schools initiative. Within this amount $5,000,000 is provided for Project Sentry.

Within the amounts provided for the safe schools initiative, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations of the House and Senate on its intentions.

$100,000 for the Bronxville, NY Public School System for video surveillance equipment;

$100,000 for Barron County Restorative Justice Programs, Inc. in Rice Lake, WI for a school truancy initiative.

Tribal Youth Program.—The conference agreement includes $12,472,000 within Title V grants for programs to reduce, control, and prevent crime both by and against tribal and Native American youth; for interventions for court-involved tribal youth; for improvement to tribal and Native juvenile justice systems; and for prevention programs focusing on alcohol and drugs, including the Alaska Federation of Natives to develop an underage drinking prevention program in rural Alaska that includes assessment and education and focuses on the children of alcoholics. Within this amount, the conferees direct that $2,000,000 be provided for a grant to fund the Alaska Illegal Drug and Alcohol Use Initiative.

Enforcing the Underage Drinking Laws Program.—The conference agreement includes $25,000,000 within Title V grants to assist States in enforcing underage drinking laws. Each State shall receive $360,000 and $6,640,000 shall be available for discretionary grants to States. OJP is directed to provide a report to the Committee no later than March 1, 2003 on the accomplishments of the program to date. Within the amounts provided for underage drinking, OJP shall make an award to the Alaska Federation of Natives to develop an underage drinking prevention program in rural Alaska including assessment and education, focusing on the children of alcoholics.

Victims of Child Abuse Act.—The conference agreement includes $11,000,000 for the various programs authorized under the Victims of Child Abuse Act as follows:

$1,747,000 to Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

$6,008,000 to establish local Children's Advocacy Centers, as authorized by section 214 of VOCA;

$1,000,000 for the National Children's Advocacy Center in Huntsville, Alabama to develop and implement a training program; and

$1,497,000 for a continuation grant to the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA; and

$748,000 for a continuation grant to the National Children's Alliance for technical assistance and training, as authorized by section 214a of VOCA.

The conference report includes bill language allowing training and technical assistance to help small, non-profit organizations with the Federal grant process. The Conferees direct OJP to submit a status report on the training and technical assistance provided by September 20, 2003.

PUBLIC SAFETY OFFICERS BENEFITS

The conferee agreement includes $53,054,000 for this account including $4,000,000 for disability benefits.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice in this bill:

Section 101 provides language, included in previous Appropriations acts, which makes up to $45,000 of the funds appropriated to the Department of Justice available to the Attorney General for reception and representation expenses.

Section 102 provides language, included in Appropriations acts for the last six years and prior to 1994, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 provides language, included in previous Appropriations acts, which prohibits use of the funds in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 104 provides language, included in previous Appropriations acts, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 provides language, included in previous Appropriations acts, which allows the Department of Justice to spend up to $10,000,000 for rewards for information regarding criminal acts and acts of terrorism against a United States person or property at levels not to exceed $2,000,000 per award.

Section 106 provides language similar to language included in previous Appropriations acts, which allows the Department of Justice, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between any appropriation, but limits to 10 percent the amount that can be transferred into any one appropriation.

Section 107 provides language to continue section 114 of Public Law 107–77 during fiscal year 2003.

Section 108 provides language regarding the collection of certain immigration fees for commercial vessels operating on regular schedules.

Section 109 provides language regarding the establishment of an advisory board for the Federal Bureau of Investigation.

Section 110 provides language that delays implementation dates for certain Juvenile Justice programs.

Section 111 provides language regarding a permanent law enforcement training facility.

Section 112 provides language regarding an immigration inspection program.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

The conference agreement includes a total of $5,695,127,000 for the programs of the United States Trade Representative, the International Trade Commission and the Department of Commerce for fiscal year 2003

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes $34,999,000 for the Office of the United States Trade Representative (USTR) for fiscal year 2003. The recommendation provides additional trade negotiator positions and ancillary costs to address the increasing workload associated with anticipated new trade agreements. The budget request recommended transferring funding jurisdiction to the Executive Office of the President. The conferees do not concur with this proposal.

The Office of the United States Trade Representative is responsible for developing and coordinating U.S. international trade, commodity, and direct investment policy, and leading or directing negotiations with other countries on such matters.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $54,000,000 for the International Trade Commission for fiscal year 2003. The recommendation provides for inflation-related costs and the continuation of two IT projects.

The International Trade Commission is an independent, quasi-judicial agency responsible for conducting trade-related investigations; providing the Congress and the President with independent, expert technical advice to assist in the development and implementation of U.S. international trade policy; responding to the Congress and the President on various matters affecting international trade; maintaining the Harmonized Commodity Description and Coding System of internationally accepted product nomenclature; providing technical assistance to eligible small businesses seeking remedies and benefits under the trade laws; and performing other specific statutory responsibilities ranging from research and analysis to quasi-judicial functions on trade-related matters.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement recommends $370,192,000 in total resources for the programs of the International Trade Administration (ITA) for fiscal year 2003. The recommendation includes $362,192,000 to be derived from direct appropriations and $8,000,000 from fee collections. Of the amount of fee collections, $5,000,000 is anticipated from a new fee proposal requested in the budget. The agreement adopts the consolidation of this effort within the Under Secretary/Administration heading, as proposed.

The conference agreement includes additional funding to monitor and enforce trade agreements, and to expand access for U.S. companies to foreign markets. In addition, funding is provided to ensure the United States Foreign Commercial Service has adequate resources to fund increased security and operating costs for overseas posts. The recommendation also assumes a realignment of $5,975,000 from base funds for information and communication systems and merges funding under the Under Secretary/Executive Administration to ensure greater efficiency, as proposed in the budget.

The following table reflects the distribution of the recommendation by subactivity:

Trade Development—The conference agreement provides a total of $67,669,000 for this component and an additional $450,000 is available from prior year unobligated balances. The recommendation includes $500,000 for increased inflationary costs. The conferees provide $10,000,000 for the National Textile Centers, and $3,000,000 for the Textile/Technology Center (TC2); $500,000 for an international competitiveness program; $500,000 for a trade processing center; $250,000 for an export database; and $500,000 for a travel industry statistics component, as provided in the prior year.

Of the funds provided, $500,000 is to develop a new steel industry information management system. Further, the recommendation assumes a transfer of $550,000 from this heading to the UnderSecretary/Executive Administration heading for information and communication activities, as proposed.

Market Access Compliance—The conference agreement includes $31,204,000 for Market Access Compliance. Of the amounts provided, $557,000 is to provide for increasing costs for ongoing operations; $930,000 is provided to expand markets by combating regulatory barriers; $576,000 is provided to support negotiation efforts for the Free Trade Area of the Americas; $900,000 is provided to support new efforts relating to the Africa Growth Opportunity Act; and $850,000 is for new efforts relating to the Caribbean Basin Initiative (CBI). The conferees determined that it is more prudent to use direct appropriations for the new CBI efforts instead of relying on anticipated fees for this purpose, as proposed.

The recommendation assumes a transfer of $350,000 for information and communication activities from this heading to the Under Secretary/Executive Administration heading, as proposed.

Import Administration—The conference agreement includes $44,229,000 for the Import Administration. Of the amounts provided, $7,500,000 is to continue overseas compliance and import surge monitoring and enforcement, including $3,500,000 to monitor import data and customs flows for surges in key markets and sectors, such as steel and lumber, and take immediate action when such surges are detected. Such action should include using resources to expedite unfair trade cases so U.S. companies can receive relief at the earliest possible date. The conferees expect Import Administration to vigorously monitor foreign subsidies so that action can be taken if the subsidies violate trade agreements.

Of the amounts provided, $2,500,000 is provided to review and evaluate in-depth Chinese and Japanese compliance with antidumping and countervailing duty commitments. China and Japan represent the majority of unfair trade actions, and the conferees believe there is an urgent need for greater attention to both Japanese and Chinese trade practices.

Of the amounts provided, $1,633,000 for expanded compliance efforts, including $875,000 for additional personnel to increase enforcement of antidumping (AD) and countervailing (CV) duty laws, and $758,000 for the costs of five full-time equivalents to increase legal support for increased World Trade Organization litigation.

The recommendation also includes a transfer of $775,000 for information and communication activities from this heading to the heading of Under Secretary/Executive Administration heading, as proposed.

U.S. and Foreign Commercial Service (US & FCS).—The conference agreement includes $202,040,000 for the US & FCS. Of the amounts provided, $900,000 is to be derived from unobligated prior year balances. The conferees provide an additional 4 full-time equivalents and $1,125,000 for expanded compliance efforts. The recommendation assumes $6,000,000 for increased security costs and other uncontrollable costs of overseas posts, and $1,000,000 is to continue funding for a rural export program.

In addition, $1,674,000 is provided to expand U.S. commercial presence throughout the continent of Africa; and $1,650,000 is provided to cover the costs of a new presence in El Salvador, as proposed. The conference agreement includes direct appropriations for new Caribbean Basin Initiative efforts instead of relying on fees for this purpose, as proposed.

The conferees direct ITA to establish a partnership with communities in the City of Chicago and in Cook County, Illinois, to enhance trade relationships between the United States and African countries, focusing initially on efforts with Nigeria.

The conferees continue to direct that the US & FCS should continue and expand its Global Diversity Initiative to support minority-owned businesses in underserved areas, including inner-city urban areas, empowerment zones, enterprise communities, and Indian reservations. This initiative should continue to include support for companies that are export-ready and hoping to enter into and/or expand international operations.

Further, the conferees direct the Commercial Service to continue its work on the Appalachian-Turkish Trade Project, a project to promote opportunities to expand trade, encourage business interests, stimulate foreign studies, and to build a lasting and mutually meaningful relationship between the Appalachian states and the Republic of Turkey, as well as the neighboring regions, such as Greece.

Executive Direction/Administration—A total of $25,050,000 is recommended for the administrative and policy functions of ITA. The conference agreement includes $5,975,000 from base transfers from other activities to centralize information and communication activities under this heading, as proposed. In addition, $1,075,000 is for increased training efforts.

The conferees remain concerned that ITA's efforts to increase trade between the United

States and its trading partners are coming at the expense of the promotion of human rights. The advancement of human rights and the development of economies are not mutually exclusive goals. In addition, the conferees understand that the majority of employees in the US & FCS have not received any formalized training to assist them in promoting human rights. Therefore, the conferees direct ITA to develop a comprehensive training program for all officers and employees to ensure that, when counseling U.S. businesses on market conditions within a particular country, they must include information on human rights, in addition to information on rule of law issues and corporate responsibility. Of the amounts provided for training efforts, $500,000 is to implement a formal human rights training program. ITA is strongly urged to work with non-government organizations, the State Department, and private entities to develop a comprehensive training program. The conferees direct the Secretary of Commerce to provide quarterly reports on the progress of the implementation of this new program.

In addition, language is included in the bill, as carried since fiscal year 1999 designating the amounts available for each unit within ITA. The conferees remind ITA that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the standard reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to report to the Committees on Appropriations, not later than April 11, 2003, a spending plan for all ITA units, which incorporates any carryover balances from previous fiscal years.

Trade Missions—The conferees direct all trade missions involving Department of Commerce agencies must be initiated, coordinated and administered through ITA.

Buying Power Maintenance—The conferees direct ITA to report on the impact of exchange rate fluctuations on ITA's budget on a quarterly basis. The conferees expect that any exchange rate gains reflected in this report will be reserved to balance future exchange rate losses.

Trade Show Revenues—The conferees direct ITA to submit a report by the date of the budget submission on the amount of trade show revenues that are collected on an annual basis, expenditures from these revenues, and how they displayed in the budget.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement includes $79,328,000 for the Operations and Administration of the Bureau of Industry and Security (BIS), of which $4,675,000 is from prior year unobligated balances. Within the total amount available, the recommendation includes the following:

Export Administration—$33,399,000 is provided for export administration activities, of which $1,875,000 is from prior year unobligated balances. The recommendation includes $1,140,000 for export licensing personnel, as proposed.

Export Enforcement—$31,122,000 is provided for export enforcement activities. The recommendation continues funding for the Dubai and Cairo attaché offices, which received initial funding in Public Law 107–117. Of which, the recommendation provides $3,356,000 and 13 full-time equivalents to maximize legal export opportunities while ensuring that illegal exports are prevented.

BIS is expected to enhance its export control efforts, including a new initiative under which BIS will send a limited number of export enforcement agents (attachés) overseas to conduct end—use checks. The conferees direct that, prior to the assignment of any attaché at U.S. missions overseas, BIS is expected to provide a detailed report to the Committees on Appropriations detailing the location and responsibilities of each attaché. Additionally, the report should detail the arrangement between Department of Commerce and the Department of State concerning accommodations for these personnel within Department of State facilities to ensure there is sufficient space.

The conferees direct BIS to conduct a comprehensive study on the health, competitiveness, and the contribution of the U.S. textile and apparel industry to the U.S. economy and in particular to the U.S. armed forces. The study should include a review of whether the United States is increasing its dependency on foreign sources for critical textile-related materials; potential threats to internal security from increased foreign sourcing and dependency; and whether the Berry amendment and other Buy-American restrictions are being effectively enforced by the Department of Defense. The conferees direct that the study be completed no later than July 1, 2003, and direct that $750,000 be used for this purpose.

Management and Policy Coordination—$6,879,000 is provided for Management and Policy Coordination, of which $2,800,000 is from prior year unobligated balances. The recommendation includes $500,000 for a new information technology initiative.

In addition to the amounts provided under management and policy coordination, $7,928,000 is provided for critical infrastructure protection efforts. The conferees note that the primary responsibility for non-proliferation activities lies with the Department of Defense, the Department of Energy and the Department of State, and believes that BIS participation in such activities should be done using funds provided from those agencies. Language is included to rename the Bureau of Export Administration as the Bureau of Industry and Security.

ECONOMIC DEVELOPMENT ADMINISTRATION

The conference agreement includes $320,765,000 for the programs and administrative expenses of the Economic Development Administration (EDA) for fiscal year 2003, as described below:

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

A total of $290,000,000 is included for fiscal year 2003 for Economic Development Assistance Programs. The conferees continue the traditional programs of the Economic Development Administration to provide needed assistance to communities struggling with long-term economic dislocation, as well as sudden and severe economic dislocation. Of the amounts provided, $205,000,000 is for Public Works and Economic Development, $40,900,000 is for Economic Adjustment Assistance, $24,000,000 is for planning, $9,100,000 is for technical assistance, including university centers, $10,500,000 is for trade adjustment assistance, and $500,000 is for research.

The conferees expect EDA to continue to assist communities impacted by economic dislocations related to coal industry downswings and timber industry downturns due to environmental concerns at no less than the fiscal year 2002 level. In addition, the conferees expect EDA to focus on communities impacted by United States-Canadian trade-related issues, communities in New England, the mid-Atlantic, Hawaii, and Alaska impacted by fisheries regulations, and communities in the Southeast impacted by downturns due to NAFTA.

The conferees remind EDA that no funding is provided for a special headquarters reserve fund.

The conferees laud EDA for its continued efforts to strengthen private sector business activity and development on Indian lands, and urges that it act expeditiously to develop an implementation plan for the recently enacted Native American Business Development, Trade Promotion, and Tourism Act.

The conferees recently approved the Economic Development Administration's headquarters reorganization plan, based upon the agency's commitment not to involuntarily terminate employees and not to increase the current number of political appointees. The conferees direct EDA to report to the Committees on Appropriations within 120 days from the date of enactment of this Act, on the status of the reorganization, including relocations.

The conferees note that EDA was reauthorized in 1999 (Public Law 105–393) through fiscal year 2003. That authorization locks into place the work that the authorization and appropriations committees have done to reform EDA programs to ensure that funds provided under this account be targeted to the most severely distressed areas, which, absent the assistance provided by the EDA, would have little to no access to resources for critical infrastructure development and capacity building. This puts the program on firm ground to carry out its purpose to provide the ''seed capital'' to distressed areas to allow local communities to increase their ability to create new economic opportunities and jobs in accordance with local priorities.

The conferees direct EDA to discontinue the use of single purpose grant loans.

SALARIES AND EXPENSES

The conference agreement includes $30,765,000 for the salaries and expenses of the Economic Development Administration. The conferees continue direction to the Administration to aggressively pursue all opportunities for reimbursement, deobligations and use of non-appropriated resources, including the care and protection of collateral account, to be able to maximize the operating level.

In addition, the conferees remind EDA of the requirements under section 605 of this Act regarding reorganization proposals.

The conference agreement retains language in the bill to provide the authority to use this appropriation to monitor projects approved under Title I of the Public Works Employment Act of 1976, Title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement includes $28,906,000 for the Minority Business Development Agency (MBDA) for fiscal year 2003. Of the amounts provided, $16,794,000 is provided for business development, and $12,112,000 is provided for advocacy, research, and information programs. The conference agreement assumes that the Entrepreneurial Technology Apprenticeship Program (ETAP) will continue to be supported at the fiscal year 2002 level.

ECONOMIC AND INFORMATION INFRASTRUCTURE

The conference agreement includes under this section, the Department of Commerce agencies responsible for the nation's basic economic and technical information infrastructure, as well as the administrative functions to oversee the development of telecommunications and information policy.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement includes $72,158,000 for the economic and statistical analysis programs of the Department of Commerce, including the Bureau of Economic Analysis (BEA), for fiscal year 2003.

Due to the Nation's economic situation, the conferees support the request to ensure policy makers have access to better and timely economic data. Therefore, the recommendation includes $4,776,000 to accelerate the release of major economic indicators; $2,116,000 to improve the processing systems used for statistical processing; and $2,751,000 to allow the United States to meet international agreements including the North American Free Trade Agreement.

The Economic and Statistics Administration (ESA) is responsible for the collection, tabulation and publication of a wide variety of economic, demographic and social statistics and provides support to the Secretary of Commerce and other Government officials in interpreting the state of the economy and developing economic policy. The Bureau of Economic Analysis and Under Secretary for Economic Affairs are funded in this account.

BUREAU OF THE CENSUS

The conference agreement includes a total operating level of $596,299,000 for the Bureau of the Census, of which $41,817,000 is from prior year unobligated balances from the 2000 Census.

SALARIES AND EXPENSES

The conference agreement includes $183,000,000 for the salaries and expenses of the Bureau of the Census for fiscal year 2003. The agreement includes $128,234,000 for current economic statistics, and $54,766,000 for current demographic statistics. The conferees direct the Bureau to continue to streamline and prioritize programs to ensure the highest priority core activities are supported. The conferees expect the Bureau to be fully reimbursed for any non-core survey by any other Federal agency or private organization.

In addition, the conferees are concerned that key reports on manufacturing, general economic and foreign trade statistics are maintained and issued on a timely basis.

This recommendation provides for the current statistical programs of the Bureau of the Census, which includes measurement of the Nation's economy and the demographic characteristics of the population. These programs are intended to provide a broad base of economic, demographic, and social information used for decision-making by governments, private organizations, and individuals.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement includes a total of $413,299,000 for all periodic censuses and related programs funded under this heading in fiscal year 2003. Of the amounts provided, $41,817,000 is to be derived from prior year unobligated balances.

2000 Decennial Census Program—The recommendation includes an operating level of $83,710,000, of which $41,817,000 is from prior year obligations for the final year of activities relating to the 2000 decennial census.

The recommendation includes the following:

(Dollars in thousands)

Decennial Census 2000	
Program Development & Mgmt	$3,461
Data Content & Product	42,651
Field Data Collection[1]	4,630
ADP & Telecommunications	12,826
Testing and Evaluation	16,333
Puerto Rico, Virgin Islands & Islands	2,472
Marketing, Communications & Partner	1,337
Minus Deobligations/Unobligations	(41,817)
Total, Decennial Census (Direct)	$41,893
Decennial Census 2010	
Operational Design Strategy	6,353
Data Collection Design	2,804
Questionnaire & Content Design	1,573
System Design & Software	7,220
Address List Updates	943
Test/Evaluation	22,982
Re-engineered Design Process	$41,875
American Community Survey[2]	$57,131
Modern Processing Environment	11,562
Geographic Partnership Programs	5,447
Evaluation	3,050
Street Address Location Correction	20,741
Community Address Updating System	6,500
MAF/TIGER	$47,300
Grand Total, Decennial Census	$146,306
Periodic Census	
Economic Censuses	87,392
Census of Governments	6,556
Subtotal, Economic Programs	$93,948
Demographic Statistics Programs:	
Intercensal Demographic Estimates	9,079
Demographic Survey Sample Design	12,583
Electronic Information Collection	6,254
Geographic Support	37,624
Data Processing Systems	23,795
Subtotal, Demographic Programs	$89,335

[1] The fiscal year 2003 budget request included $9,500,000 for an anticipated worker's compensation payment due to the Department of Labor. To date, no justification has been provided to substantiate this request. No funding is provided for this purpose.

[2] The budget request includes a total of $123,866,000 for the American Community Survey. The Census Bureau has proposed to alter the current process of conducting the decennial census. The current proposal is to abolish the long-form survey, but continue the short form survey as part of the 2010 census and replace the long-form survey with an annual survey of 3,000,000 households. The current proposal would require the American Community Survey to be considered a mandatory requirement for those households being surveyed. The conferees acknowledge that sufficient information is not available to weight the benefits of a mandatory survey versus a voluntary survey. Therefore, the conferees include $1,000,000 to test the response rates of both a voluntary and a mandatory survey. The conferees direct the Secretary of Commerce to report to the Committees on Appropriations as soon as the results of the study are available.

Subgroup Enumeration—The conferees understand the Census Bureau continues to face difficulty in accurately enumerating Hispanic subgroups and urges the Census Bureau to continue to work to address these concerns in preparation for the decennial census.

Hiring—The conferees recommend that the Census Bureau move decisively to improve the representation of minorities in senior management at the Census Bureau and to improve the representation of minorities in all areas of research. The conferees suggest that the Census Bureau take advantage of the Presidential Management Intern program and the Joint Program on Survey Methodology to achieve these goals.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conference agreement includes a total of $73,759,000 for the National Telecommunications and Information Administration (NTIA) for fiscal year 2003.

The National Telecommunications and Information (NTIA) is responsible for developing domestic and international telecommunications and information policy for the Executive Branch, ensuring the efficient and effective use of the Federal radio spectrum, and administering Federal programs that supports telecommunications facilities for public broadcasting.

SALARIES AND EXPENSES

The conference agreement includes $14,700,000 for the Salaries and Expenses appropriation of the National Telecommunications and Information Administration (NTIA).

The conference agreement includes $625,000 and two full-time equivalents to improve NTIA's management of the Federal spectrum. Due to fiscal constraints, no additional funding is provided to upgrade existing facilities on the Table Mountain radio quiet zone. The conferees direct the Administration to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources, to be able to maximize the operating level for this purpose.

The conference agreement assumes an additional $26,270,000 will be available to the NTIA through reimbursements from other agencies for the costs of providing spectrum management, analysis and research services to those agencies, reflecting implementation of a policy of 80% reimbursement for such services that began in fiscal year 1999.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes $43,556,000 for planning and construction grants for public television, radio, and non-broadcast facilities. This amount will allow the continuation of the existing equipment and facilities replacement program.

Challenges are particularly great for those broadcasters who are located in, or who serve, largely rural areas. As in past years, the conferees continue to urge NTIA to place emphasis on the needs of these stations, and to support focusing resources on distance learning initiatives targeting rural areas.

INFORMATION INFRASTRUCTURE GRANTS

The conference agreement recommends $15,503,000 for the Information Infrastructure Grant program for demonstrations of new telecommunications technology applications. The recommendation is the same as the fiscal year 2002 funding level. The accompanying bill does not include language to terminate the program, as proposed.

The conferees note that there is some overlap between this program and technology programs under the Department of Justice, Community Oriented Policing Services and the Regional Information Sharing System with respect to grants for public safety. The conferees expect NTIA to give preference to applications relating to public safety only when there is no other source of funding available for such applications.

The conferees retain language making the funds provided under this heading available for program administration and related program support activities at the fiscal year 2002 level. The bill also includes language carried in previous appropriation acts which will allow up to five percent of this appropriation to be available for telecommunications research activities directly related to the development of a national information infrastructure (NII).

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes $1,182,000,000 for the United States Patent and Trademark Office (USPTO) in fiscal year 2003. The recommendation does not include the Administration's proposed language establishing a new fee structure to significantly increase fees for both trademark and

patent applications resulting in additional fee collections of $197,000,000. To date, the fee structure changes and many of the other changes outlined in the 21st Century Strategic Plan have not been authorized.

In fiscal year 2002, the Congress directed the PTO to develop a 5–Year Strategic Plan for the PTO with three core objectives: (1) prepare the agency to handle the workload associated with the 21st century economy, (2) improve patent quality, and (3) reduce patent and trademark pendency.

The 21st Century Strategic Plan calls for some of the most sweeping changes to the patent review process in 200 years.

The conferees support efforts to shift resources to high priority areas and a more gradual increase in staffing to ensure that examiners have the expertise, tools, and training necessary to produce quality patents on a timely basis. This approach is consistent with the outline of the 21st Century Strategic Plan released in June 2002.

Of the amount recommended in the bill, $1,015,229,000 is to be derived from offsetting fees collected in fiscal year 2003 and $166,771,000 is to be derived from carryover funds from prior years. Of the amounts provided, $14,000,000 is for the completion of the trademark electronic processing system; and $4,499,000 is for increased workload costs and continued implementation costs of electronic patent filing system.

Within the amounts available, the conferees expect that USPTO continue its relationship with the National Inventor's Hall of Fame and Inventure Place, and the International Intellectual Property Institute at least at the same level as in fiscal year 2002.

The conferees understand that funding for a global intellectual program provided in fiscal year 2002 was not obligated. Therefore, the conferees direct USPTO to use prior year funding to offset any additional costs necessary to maintain the above-mentioned partnerships. The conferees remind the USPTO that any changes from the funding distribution provided in the bill and report, including carryover balances, are subject to the standard reprogramming procedures set forth in section 605 of this Act.

In addition, USPTO is directed to submit to the Committee, not later than April 11, 2003, a spending plan, which incorporates any carryover balances from previous fiscal years and any increase to the patent or trademark fee structure.

The conferees commend USPTO for its successful trademark telework program in support of section 359 of Public Law 106–346. Yet, despite this successful program, the patent employees are not gaining the benefits of a similar program. The conferees understand that telework programs can significantly help to alleviate crowded highways in the greater Washington area. Further, the private sector has shown that these programs can increase the performance and morale of employees. Therefore, the conferees direct the USPTO to provide a report to the Committees on Appropriations, not later than April 11, 2003, containing a detailed plan to implement a telework program for patent employees, including examiners.

The USPTO is charged with administering the patent and trademark laws of the United States. USPTO examines patent applications, grants patent protection for qualified inventions; and disseminates technological information disclosed in patents. USPTO also examines trademark applications and provides Federal registration to owners of qualified trademarks.

SCIENCE AND TECHNOLOGY

The conference agreement includes under this section of Title II the Department of Commerce agencies responsible for scientific and technological research and programs.

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The conferees recommend $9,886,000 for the Technology Administration's Office of the Under Secretary/Office of Technology Policy. Of the amounts provided, $1,000,000 is for the Global Technology Summit, and $1,000,000 is for the Networked Economy Summit.

The conferees did not support the proposed language making a portion of the funding under this account available until expended.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes $712,134,000 for the appropriations accounts under the National Institute of Standards and Technology (NIST) for fiscal year 2003.

A description of each account and the Committee recommendation follows:

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes $359,411,000 for the Scientific and Technical Research and Services (core programs) appropriation of the National Institute of Standards and Technology.

The following is a breakdown of the amounts provided under this account by activity.

	FY03 Recom.
Electronics & Electrical	45,731
Manufacturing Engineering	21,128
Chemical	40,313
Physics	35,500
Building and Fire Research	21,542
Materials Science & Engineering	56,532
Computer Applied Mathematics	53,078
Technology Assistance	17,679
Baldridge Quality Awards	5,205
Research Support	62,703
Total, STRS	$359,411

Under the Building and Fire Research heading, the recommendation includes $2,500,000 for a wind research project, $3,000,000 for research efforts related to the World Trade Center collapse investigation.

Under the Computer and Applied Math heading, the recommendation includes $1,000,000 for expert review teams, $2,100,000 for wireless technologies and computer security checklists and guidelines, and $500,000 in support of voting machine standards.

Under the Chemical Science and Technology Program heading, the recommendation includes $1,000,000 to restore reductions in environmental measurements at the Hollings Marine Laboratory.

Under the Electronics and Engineering heading, $3,000,000 is for salaries associated with the Office of Law Enforcement Standards to ensure that NIST has the critical personnel with the expertise to implement law enforcement standards initiatives proposed by their partner federal agencies.

In addition, under the Research Support heading, the recommendation includes $2,400,000 for a telework project, $6,500,000 for a certain critical infrastructure program, and includes $15,000,000 for the Advanced Measurement Laboratory in Gaithersburg, Maryland.

Further, the conferees have heard reports that U.S. companies may not be as competitive as non-U.S. companies in emerging markets because U.S. standards are not incorporated in many international agreements. The conferees request NIST with input from the ITA, to provide to the Committees on Appropriations, no later than April 11, 2003, a plan detailing efforts that ensure U.S. business interests are represented in new international standard negotiations.

Competitive sourcing. The conferees understand that there are efforts within the Department of Commerce and other Departments, to use the implementation of the President's Management Initiative for Competitive Outsourcing (the A–76 process) as a way to reduce staff by more than 50 percent. This initiative is designed to compete or directly convert 15 percent of those positions identified as commercially competitive. However, the conferees understand that efforts are underway to identify roughly 75 percent of NIST's positions as commercial for purposes of this initiative. While the conferees certainly agree that there are certain advantages to competitive outsourcing, there is a concern that blind implementation could severely inhibit the operations of the Institute in the future. The conferees direct NIST to provide a detailed plan to the Committees on Appropriations prior to any changes in support of ''competitive outsourcing''.

For more than a century, the scientists, engineers, and supporting organizations of the Institute have established standards that affect nearly every aspect of life and work in America, from the doses of radiation in medical X-rays to the level of protection in bullet-proof vests used by police officers. NIST's mission plays an ever more critical role today by supporting our homeland security efforts through the development of standards for mail irradiation, guidelines for cyber security for Federal IT systems, and by conducting the Federal investigation of the collapse of the World Trade Center buildings.

The recommendation does not include a requested increase to the allowable amount to be transferred to the working capital fund.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes $286,623,000 for the Industrial Technology Services appropriation of the National Institute of Standards and Technology.

Manufacturing Extension Partnership Program—Recent economic downturns have had a devastating effect on the manufacturing sector. Therefore, to ameliorate some of the effect on this sector, the conferees have included $106,623,000 for the Manufacturing Extension Partnership Program to fund all existing centers.

Advanced Technology Program—The conference agreement includes $180,000,000 for the program, of which $60,700,000 is for new awards. This amount, when combined with approximately $34,000,000 in prior year funds, provides ATP awards at the fiscal year 2002 level. Within the amounts made available, $45,000,000 shall be used for administrative costs, internal laboratory support, and for Small Business Innovation Research Program requirements.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes $66,100,000 for construction, renovation, and maintenance of NIST facilities. Of the amounts provided, $11,090,000 is for urgently needed construction and renovation projects at the Boulder, Colorado laboratory, including a new primary electrical service and the first phase of the central utility plant, these investments should help minimize the number of brownouts affecting the campus; $4,000,000 is to offset fit-up costs related to the Advanced Measurement Laboratory in Gaithersburg, Maryland, to be completed by December 2003; and $22,194,000 for the backlog of safety, capacity, maintenance, and major repair projects account for the two NIST campuses.

The conferees direct NIST to report to the Committees on Appropriations on the progress of these construction projects on a quarterly basis.

Up to $282,000 is available to transfer to the working capital fund, as proposed.

This account supports all NIST activities by providing the state of the art facilities necessary to carry out the NIST mission.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement includes a total of $3,154,551,000 for necessary expenses for the seven appropriation items of the National Oceanic and Atmospheric Administration (NOAA), including transfers totaling $65,000,000.

Of the amounts provided, $479,201,000 is provided in support of the separate conservation category created in Title VIII of the Interior and Related Agencies Appropriations Act, 2001.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $2,316,519,000 for the coastal, fisheries, marine, weather, satellite, and other NOAA programs funded in this account. The agreement includes a transfer of $65,000,000 from balances in the account entitled, ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries''. The recommendation assumes deobligations of $17,000,000, as proposed, and $3,000,000 from prior year receipts relating to the coastal zone management program.

The bill continues language to allow NOAA to retain gifts and contributions made under the Marine Sanctuary Program. The conferees continue to direct NOAA to fully utilize the authorities provided for this program.

Language is also included in the bill specifying the total amount of direct obligations available for each of the NOAA line offices and other related activities funded through this account. The conferees continue to take this action to provide greater clarity and accountability in budgeting and management for the diverse activities funded in this account. In addition, the bill also retains language regarding the practice of assessing NOAA line organizations, programs, projects, and activities, to support NOAA and line office overhead and programs over and above the amounts specifically provided, and regarding the funding and personnel in Executive Direction and Administration. The conference agreement caps administrative expenses at $243,000,000. NOAA is directed to submit a spend plan to the Committees on Appropriations for these expenses at a level of detail comparable to that of the House and Senate NOAA tables. The plan shall be delivered not later than March 15, 2003.

The conferees remind NOAA that administrative charges levied against certain activities assigned in the bill are limited to no more than five percent. In addition, language is also included regarding use of deobligations in excess of amounts estimated in the budget.

In addition to the direction given in this section of the report, the conferees direct NOAA to comply with sections addressing the reprogramming and transfer requirements under Section 204 of this Act.

The following identifies the activities, subactivities, and projects funded in this appropriation.

NATIONAL OCEAN SERVICE ($ IN THOUSANDS)	FY03 Conference Agreement
Navigation Services	
Mapping & Charting	
Mapping & Charting Base	37,183
Coastal Storms	1,000
Joint Hydrographic Center	4,250
Joint Hydrographic Center - Bathymetric Research	3,200
Electronic Navigation Charts	3,350
Shoreline Mapping	2,000
Address Survey Backlog/Contracts	20,450
MS/LA Digital Coast	500
Vessel Lease/Time Charter	7,500
Subtotal, Mapping and Charting	79,433
Geodesy	
Geodesy Base	20,612
National Spatial Reference System	250
Height Modernization Study - NGS Implementation	250
Height Modernization Study NC	1,000
Height Modernization Study CA	1,000
Height Modernization Study WI	500
Height Modernization Study MS	500
Geodetic Survey- LA	500
S. Carolina Geodetic Survey	500
Subtotal, Geodesy	25,112
Tide & Current Data	13,250
PORTS	3,000
Great Lakes NWLON	2,000
Coastal Storms	1,000
Upper Cook Inlet Tidal Research	500
Subtotal, Tide & Current Data	19,750
Total, Navigation Services	124,295

NATIONAL OCEAN SERVICE ($ IN THOUSANDS)	FY03 Conference Agreement
Ocean Resources Conservation and Assessment	
Ocean Assessment Program (OAP)	
Ocean Assessment Program Base	13,721
Coastal Observation Technology System	1,700
Center for Integrated Marine Technologies	2,000
Alliance for Coastal Technologies	3,000
Center for Coastal Ocean Observation & Analysis	2,500
Carolina Coastal Ocean Observing and Prediction System	2,500
Wallops Ocean Observation Project	1,401
Lake Pontchartrain	2,000
Sarasota Bay - Mote	750
Coastal Marine Research & Monitoring Program	1,200
Coastal Storms	750
Beaufort, NC	1,500
Oxford, MD	1,400
Pfiesteria Research and HAB Rapid Response	4,000
Coastal Services Center	19,000
Pacific Coastal Center	2,000
Harmful Algal Blooms	5,000
CI-CORE	1,000
Coastal Watershed Groundwater Assessment NH	500
CREST	500
Harmful Algal Bloom Task Force SC	600
Aquatic Research Consortium MS	2,500
Coop Institute for Coastal and Estuarine Enviro Tech	6,550
Hawaii Coral Reef Initiative	1,000
Puerto Rico Coral Reef Initiative	500
National Coral Reef Institute - Florida	500
Coral Reef Program	12,000
National Fish and Wildlife Foundation - NFWF	1,500
South Florida Ecosystem	900
JASON Education and Outreach	2,500
Subtotal, Ocean Assessment Program (OAP)	94,972

NATIONAL OCEAN SERVICE ($ IN THOUSANDS)	FY03 Conference Agreement
Response and Restoration	
Response and Restoration Base	4,641
Estuarine and Coastal Assessment	2,670
Estuarine Restoration Program	1,200
Damage Assessment Program	5,200
Oil Pollution Act of 1990	1,000
Coastal Protection and Restoration Project	1,000
Spill Response and Restoration Program	2,000
Aquidneck Island	600
Aquatic Resource Environmental Initiative	5,000
Marine Debris Removal SC	175
Edisto Beach Marsh Restoration	100
Water Control Impoundments SC	700
Coastal Remediation Technology	750
Subtotal, Response and Restoration	25,036
Oceanic and Coastal Research	
Oceanic and Coastal Research Base	6,293
Fish Forensics/Enforcement	1,300
MERHL	4,000
Murrell's Inlet Special Area	200
Gulf of Alaska Ecosystem Monitoring	750
Prince William Sound Science Center	500
Pfiesteria/Toxins Research	1,000
Subtotal, Ocean and Coastal Research	14,043
Coastal Ocean Science	
Coastal Ocean Program Base	12,096
ECOHAB	4,200
Long-term Estuary Assessment Consortium	1,200
Hypoxia	1,085
South Florida Ecosystem	1,200
Long Island Sound Coast Observing System	210
Subtotal, Coastal Ocean Science	19,991
Total, Ocean Resources Conservation & Assessment	154,042

NATIONAL OCEAN SERVICE ($ IN THOUSANDS)	FY03 Conference Agreement
Ocean and Coastal Management	
Coastal Management	
CZM Grants	68,963
CZMA Program Administration	6,483
National Estuarine Research Reserve System	16,400
Nonpoint Pollution Implementation Grants	10,000
Marine Protected Areas	4,000
Subtotal, Coastal Management	105,846
Ocean Management	
Marine Sanctuary Program	
Marine Sanctuary Program Base	33,000
Northwest Straits Citizens Advisory Commission	750
Subtotal, Ocean Management	33,750
Total, Ocean and Coastal Management	139,596
GRAND TOTAL, NATIONAL OCEAN SERVICE - ORF	417,933

NATIONAL OCEAN SERVICE

The conference agreement includes a total of $417,933,000 for activities of the National Ocean Service (NOS) for fiscal year 2003.

Mapping and Charting—The recommendation includes $79,433,000 for mapping and charting activities. The conferees include $20,450,000 to address the hydrographic survey backlog detailed in the National Survey Plan. The recommendation is consistent with the conferees decision that at least 50 percent of the hydrographic surveying should be contracted out to private companies. The conferees direct NOAA to report to the Committees on Appropriations within six months after the enactment of this Act on the progress being made to reduce the backlog.

Of the amounts provided for mapping and charting activities, the conferees include $7,500,000 to allow NOAA to continue its efforts to lease or charter a U.S.-purpose-built U.S. flag hydrographic survey vessel, which is capable of performing the full scope of necessary hydrographic services. The conferees expect the vessel to be equipped with a suite of state-of-the-art survey equipment capable of providing quality data from inshore waters to full ocean depth. The conferees direct NOAA to examine lease and charter options of longer than one-year, which may reduce the annual cost. The conferees direct NOAA to award the time charter contract on its current schedule and report by no later than April 11, 2003, on options for increasing the length of a lease or charter and whether savings might result from such an increase. In addition, NOAA is expected to follow the requirements of Section 303(b)(3) of the Hydrographic Services Improvement Act and contract for hydrographers on any leased or chartered vessel in accordance with title IX of the Federal Property and Administrative Services Act of 1949. Finally, the conferees adopts NOAA's proposal to hire a vessel that is capable of work in both the Gulf of Mexico and the Alaska waters. The conferees understand that the leased or chartered vessel will begin its work in the Gulf of Mexico no later then April 2003, but would survey in Alaska from April 1, 2004, through November 1, 2004. After that, the conferees expect the total vessel time to be split between the Gulf of Mexico and Alaska.

Of the amounts provided, $3,200,000 is for bathymetric surveys off the Northeast Coast of the United States and around the Aleutian Chain in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for Shoreline Mapping, the conferees recommend that NOS focus on mapping the shoreline of the North Slope of Alaska.

Geodesy.—The conferees understand the State of Alabama has begun an effort to develop a comprehensive statewide Geographic Information System database and clearinghouse that will reduce duplication of resources among state agencies, improve quality, and reduce costs. The National Geodetic Survey has begun talks with representatives of the State of Alabama, including the Alabama Department of Revenue, on this effort and the conferees encourage the National Geodetic Survey to continue to support this effort as appropriate.

Tide and Current Data.—The conferees include $19,750,000 for this activity. The recommendation will enable NOS to implement and maintain the necessary quality controls for real-time tide and current data systems. Funding is included to continue implementation of the Physical Oceanographic Real-Time System (PORTS) program and continues the National Water Level Operation Network (NWLON) in the Great Lakes.

Coral Reefs.—Prior to obligation of the funding provided for this program, the conferees direct NOAA to submit a spending plan to the House and Senate Committees on Appropriations. A total of $14,000,000 is provided for this program, of which $2,000,000 is from unobligated prior year balances.

Ocean and Coastal Observing Systems.—The conferees support the establishment of an integrated interagency ocean and coastal observing system that will provide critical information to a wide variety of users of ocean and coastal information and services. Better information on the current and future state of the ocean and its role in environmental change is needed for policy makers. Adequate predictive capability is a prerequisite to the development of sound policies at the national and regional level, policies ranging from maritime commerce to public health, from fisheries to safety of life and property, from climate change to national security.

Broad scale discussions have been underway for almost three decades on this topic, but coordinated attention at the Federal level has begun in earnest only in recent years. The Office of Science and Technology Policy was directed to develop an interagency plan for the research, technology demonstration, and ultimately, the implementation of an integrated ocean observing system. The conferees direct NOAA to work with its partners on the National Ocean Research Leadership Council to submit a plan by June 30, 2003, to the Committees on Appropriations. This plan will detail an implementation strategy for the establishment of an integrated ocean and coastal observing system. This plan shall, at a minimum: (1) include an interagency governance structure; (2) define the roles and responsibilities of each agency in implementing and operating the system; (3) provide multi-year funding estimates by agency; and (4) include a process for regional coordination and technical support to ensure development of integrated regional systems with a national observing initiative.

In addition, as development of an integrated long-term Federal plan proceeds, the conferees urge NOAA to coordinate existing or planned regional coastal observing systems, particularly those for which funding has been provided or those which use Federal platforms such as buoys. The conferees direct NOAA to utilize the data management and technical expertise of the Coastal Services Center to perform this function as well as provide education and outreach to participating Federal agencies, academic institutions, State agencies, and other interests.

Ocean Health Initiative.—One area where coastal observing systems would be useful is in exploring the relationship between the oceans and human health. In 1999, a National Research Council report, From Monsoons to Microbes: Understanding the Ocean's Role in Human Health, focused attention on the implications of ocean phenomena for human health. The phenomena include climate change, weather events, coastal hazards, infectious diseases, and harmful algal blooms. As the nation faces increasing coastal pressures and scientists identify changes in coastal systems, including sentinel species such as dolphins and fish, NOAA is uniquely positioned to play a strong role in identification, prediction, and prevention of such changes. In addition, genetic and other characteristics of marine organisms can be used for medical advances and NOAA can help build a bridge between marine scientists and human health experts.

The conferees direct the Under Secretary to establish an Ocean Health Initiative to coordinate and focus agency activities on critical areas of concern and identify critical gaps in coverage. Of the amounts provided, $8,000,000 is for critical research and projects aimed at closing identified gaps. The conferees direct NOAA to: (1) work with the NSF and the National Institute of Environmental Health Sciences in developing a joint program that builds on and complements existing NOAA programs; (2) establish an external peer reviewed grant process; and (3) provide for the selection and funding of internationally recognized ''distinguished'' scholars to work in collaboration with NOAA researchers. NOAA will submit a spend plan for approval by the Committees on Appropriations before program funding is obligated.

Coastal Ocean Program.—The conferees direct the program to work with and continue its current levels of support for the Baruch Institute's research and monitoring of small, high-salinity estuaries and to continue its current levels of support for the LUCES program. Within the funds provided for the MERHL, the conferees direct NOAA to create a scientific and professional position to act as senior scientist for NCCOS.

Aquatic Resources Initiative- Of the amounts available provided under this heading, up to $750,000 is for Bluegrass Pride, Inc.

Coastal Zone Management—A total of $75,144,000 is provided to assist coastal states in implementing this program. The Committee continues its' direction to report on the measures of performance used to justify requesting funding for this program. Bill language, carried in prior years, has been modified.

Marine Sanctuary Program—$34,750,000 is provided for this program, of which $1,000,000 is from unobligated balances. Under this heading, the recommendation includes $750,000 for the activities of the Northwest Straits Citizens Advisory Commission. This Commission was established to provide an ecosystem focus on the marine resources in the area, mobilize science and support marine resource committees, and establish a forum for coordination and consensus building, in lieu of Federal designation of the area as a Marine Sanctuary. The conferees continue to believe that such a consensus-based approach is an innovative and novel approach to promote marine conservation, the goal of the Marine Sanctuary Program.

National Centers for Coastal Ocean Science (NCCOS)—The conferees are aware that the National Centers for Coastal Ocean Science (NCCOS) for several years have been cutting base funds without Congressional approval from certain labs that received specified program increases. The Conferees direct the NCCOS to stop this practice immediately. Further the Conferees direct NCCOS to report to the Committees on Appropriations no later than April 15, 2003 on what purposes the funding from the reductions was used and on the steps being taken to restore the cuts to base that have been sustained by those labs.

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Fisheries Research and Management Services	
Science and Technology	
Base	69,290
AKFIN	3,200
Alaska Fisheries Development Foundation	925
Alaska Groundfish Monitoring	2,087
Alaska Groundfish Monitoring - Bering Sea Fishermen's Association CDQ	175
Alaska Groundfish Monitoring - Crab Research NMFS	473
Alaska Groundfish Monitoring - NMFS Field Fishery Monitoring	300
Alaska Groundfish Monitoring - NMFS Rockfish Research	340
Alaska Groundfish Monitoring - Winter Pollock Survey	1,000
Alaskan Groundfish Surveys	661
Alaskan Groundfish Surveys - Calibration Studies	240
American Fisheries Act Implementation	3,525
Atlantic Herring and Mackerel	200
Bering Sea Pollock Research	945
Bluefin Tuna Tagging (UNH)	850
Bluefin Tuna Tagging (Monterey)	425
Bluefish/Striped Bass	1,527
Charleston Bump Billfish Tagging	150
Chinook Salmon Research at Auke Bay	300
Computer Hardware and Software	3,492
Cooperative Research - National Cooperative Research	1,050
Cooperative Research - NE Cooperative Research	3,750
Cooperative Research - Cooperative Marine Education & Research	200
Cooperative Research - SE Cooperative Research	3,250
Cooperative Research Northeast Consortium	5,000
Driftnet Act Implementation	1,800
Driftnet Act Implementation/Pacific Rim Fisheries	150
Driftnet Act Implementation/Science Observer Russian EEZ	250
Expand Stock Assessments - Improve Data Collection	17,000
Fish Statistics - Atlantic States Marine Fisheries Commission	2,000
Fish Statistics - Economics & Social Sciences Research	2,500
Fish Statistics - National Standard 8	1,000
Fish Statistics	13,900
Fisheries Development Program - Hawaiian Fisheries Development	750
Fisheries Development Program - Product Quality and Safety/Seafood Inspection	8,685
FMP Extended Jurisdiction, State of Alaska	1,500
GULF FIN Data Collection Effort	3,500

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Gulf of Maine Groundfish Survey	567
Gulf of Mexico Consortium	2,750
Halibut Data Collection	450
Hawaii Seafood Safety and Inspections	800
Hawaii Stock Management Plan	500
Highly Migratory Shark Fishery Research Program	1,850
Horseshoe Crab Research	650
Information Analysis and Dissemination	21,490
JIMAR	2,475
Lobster Sampling	150
Magnuson Stevens Implementation off Alaska	4,350
MARFIN	2,500
MARFIN - NE Activities	250
MARFIN Red Snapper	500
MarMap	850
Massachusetts Fishery Institute	500
Steller Sea Lion/Pollock Research North Pacific Council and Management	2,000
New England Stock Depletion	1,000
NMFS Facililties Maintenance	4,325
Observers - Fishery Observers	750
Observers/Training - Atlantic Coast Observers	3,350
Observers/Training - East Coast Observers	350
Observers/Training - Hawaii Longline Observer Program	3,000
Observers/Training - N. Pacific Marine Resources Observers	1,875
Observers/Training - N. Pacific Observer Program	800
Observers/Training - West Coast Observers	3,730
PACFIN Catch Effort Data	3,000
Pacific Highly Migratory Species Research	750
Recreational Fishery Harvest Monitoring RECFIN	3,450
Recreational Fishery Harvest Monitoring RECFIN - SC	500
Red Snapper Monitoring and Research	5,000
SEAMAP	1,400
Shrimp Pathogens South Carolina	450
South Carolina Taxonomic Center	500
VA Trawl Study	375
West Coast Groundfish	5,220
Subtotal, Science and Technology	238,847

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Conservation and Management	
Base	8,583
Alaska Near Shore Fisheries State of Alaska	1,000
American Fisheries Act	2,174
American Fisheries Act - N. Pacific Council	499
American Fisheries Act - National Standards 4 and 8 State of Alaska	499
Anadromous Fish Commission -- North Pacific	750
Anadromous Grants	2,100
Bering Sea Crab State of Alaska	1,000
Gulf of Alaska Coastal Communities Coalition	375
Columbia River Facilities	3,365
Columbia River Hatcheries - Monitor, Evaluation and Reform	1,700
Columbia River Hatcheries and Facilities	11,457
Cooper River Corridor Management	125
Driftnet Act Implementation/State Participation - AK/WA	200
Fisheries Management Programs	27,657
Halibut/Sablefish	1,200
Hawaiian Community Development	500
Interjurisdictional Fisheries Grants	2,590
International Fisheries Commission State of Alaska	400
Interstate Fish Commissions - 3 Commissions	750
Interstate Fish Commissions - Atlantic Cooperative Management	7,250
Louisiana Oyster Assistance	2,000
Magnuson Stevens Implementation off Alaska	2,050
Management of George's Bank	478
National Environmental Policy Act	5,000
Pacific Salmon Treaty	5,612
Pacific Salmon Treaty - Chinook Salmon Agreement	1,844
Refine EFH Designations	500
Regional Councils	14,500
SCORE--NH/FL	1,000
South Carolina Seafood Marketing	500
South Carolina Shrimper Assistance	1,500
Yukon River Chinook Salmon State of Alaska	1,000
Yukon River Chinook Salmon - Yukon River Drainage Fisheries Assoc	499
Subtotal, Conservation and Management	110,657
Total, Fisheries Research and Management Services	349,504

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Protected Resources Research and Management Services	
Science and Technology	
Base	9,045
Antarctic Research	1,550
Atlantic Salmon Research	710
Bottlenose Dolphin Research	2,000
Columbia River Endangered Species Studies	299
Conservation & Recovery with States	1,000
Dolphin Encirclement	2,700
Dolphin/Yellowfin Tuna Research	250
Endangered Species Act - Columbia River BIOP implementation	1,590
Endangered Species Act - Atlantic Salmon	1,717
Endangered Species Act - Marine Mammals, Sea Turtles & Other Species	3,500
Endangered Species Act - Other Species	2,700
Endangered Species Act - Pacific Salmon Recovery	17,450
Endangered Species Act - Right Whale Activities	5,000
Endangered Species Act - Sea Turtles	5,250
Hawaiian Monk Seals	825
Hawaiian Sea Turtles	6,300
Marine Mammal Protection	7,120
Marine Mammal Protection--Ice Seals	250
Marine Mammal Protection - Joint Alaska Harbor Seal Research	900
Marine Mammal Protection - Manatee - New College	250
Marine Mammal Strandings	4,000
NEPA - Hawaiian Sea Turtle Research	1,500
Protected Species Management Base	1,349
Protected Species Management - N. Pacific Southern Resident Orca Population	750
Rancho Nuevo Sea Turtles	350
Recovery of Endangered Large Whales	1,000
Steller Sea Lion Recovery Plan - Alaska Fisheries Foundation	1,000
Steller Sea Lion Recovery Plan - Alaska Sea Life Center	5,000
Steller Sea Lion Recovery Plan	5,000
Steller Sea Lion Recovery Plan - N. Pacific Universities MM Consortium	2,500
Steller Sea Lion Recovery Plan - Univ of AK Gulf Apex Predator	1,000
Steller Sea Lions - Endangered Species Act	850
Subtotal, Science and Technology	94,705

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Conservation and Management Services	
Base	8,878
Atlantic Salmon Recovery Plan	400
Chinook Salmon Management	150
Cook Inlet Beluga	150
Endangered Species Act - Atlantic Salmon	500
Endangered Species Act - Pacific Salmon Recovery	20,500
Endangered Species Act - Right Whale Activities	5,000
Marine Mammal Strandings - Alaska SeaLife Center	1,000
Marine Mammal Strandings - Charleston Health and Risk Assessment	800
Native Marine Mammals - Alaska Eskimo Whaling Commission	500
Native Marine Mammals - Alaska Harbour Seals	150
Native Marine Mammals - Aleut Pacific Marine Resources Observers	125
Native Marine Mammals - Beluga Whale Committee	225
Native Marine Mammals - Bristol Bay Native Association	50
Protected Species Management - California Sea Lions	750
Protected Species Management - Base	7,109
Protected Species Management - NFWF Species Management	1,000
Protected Species Management - State of Maine Salmon Recovery	1,200
Southeastern Sea Turtles	300
State of Maine Recovery Plan	150
Steller Sea Lion Recovery Plan - State of Alaska	2,000
Subtotal, Conservation and Management Services	50,937
Total, Protected Resources Research and Management Services	145,642
Habitat Conservation Research and Management Services	
Base	5,858
Bay Watersheds Education and Training Program	2,500
Oxford	1,000
Blue Crab Advanced Research Consortium	2,000
Charleston Bump	450
Chesapeake Bay Multi-Species Management	500
Chesapeake Bay Oyster Research	2,000
Chesapeake Bay Studies	3,500
Center for Marine Education and Research MS	2,500
Connecticut River Partnership	300
Coral Reef	11,000
Fisheries Habit Restoration	12,000
Fisheries Habit Restoration - Bronx River Restoration	1,000
Fisheries Habit Restoration - LA DNR	1,385

NATIONAL MARINE FISHERIES SERVICE	FY03 Conference Agreement
Fisheries Habit Restoration - Pinellas County Environmental	1,500
Habitat Conservation	9,218
Kenai Peninsula Fish Habitat Restoration	700
Magnuson Stevens Implementation off Alaska	850
Marsh Restoration - NH	1,000
Mobile Bay Oyster Recovery	1,000
South Carolina Oyster Recovery	1,000
Non-native Oyster Chesapeake Bay Project - VA	1,000
Total, Habitat Conservation Research and Management Services	62,261
Enforcement and Surveillance Services	
Enforcement	
Driftnet Act Implementation	1,375
Enforcement and Surveillance	8,934
Enforcement and Surveillance - Cooperative Agreements w/States	2,500
Enforcement and Surveillance - Vessel Monitoring System	2,500
Subtotal, Enforcement	15,309
Partnerships in Enforcement	
Enforcement and Surveillance - Cooperative Agreements w/States	7,000
SC DNR Research Vessel	350
Subtotal, Partnerships in Enforcement	7,350
Total, Enforcement and Surveillance Services	22,659
GRAND TOTAL, NATIONAL MARINE FISHERERIES SERVICE - ORF	580,066

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes $580,066,000 in new funding for the operations of the National Marine Fisheries Service (NMFS). In addition to this amount, $19,500,000 is available from prior year unobligated balances for a total operating level of $599,566,000.

Expand Stock Assessments.—The conferees have provided $17,000,000 for additional stock assessments. Of the amounts provided, $1,000,000 for implementation of a West Coast in-season harvest data collection system.

Migratory Shark Fishery.—The conferees expect NMFS to continue the funding for collaborative multi-regional biological research on highly migratory species of sharks to provide NMFS with the information necessary for effective management of the highly migratory shark fishery and conservation of imminently threatened shark fishery resources.

Cooperative Research.—In addition to the amounts shown for the national cooperative research program, $1,700,000 is available from unobligated prior year balances.

National Fisheries Information System.—Funding of $2,600,000 is available from prior year unobligated balances.

Information Analysis and Dissemination.—The conferees include $21,890,000 for this program, of which $400,000 is from unobligated prior year balances.

California Sport fishing.—The conferees have been advised that the Republic of Mexico has closed U.S. sport fishing access to the Revillagigedo Islands. The sport fishing industry provides $5.5 million in direct revenue to Southern California and employs hundreds of people. The United States and Mexico have maintained a cooperative working relationship with regard to fishing and environmental issues, and U.S. boats have had access to the Revillagigego Islands under permits since 1994. The conferees direct the Secretary of Commerce to investigate the reason of the withdrawal of these permits, and to report to the Committee on Appropriations no later than April 2003.

Northern Right Whale Preservation.—The conferees include a total of $10,000,000 for North Atlantic right whale research, management activities, and Atlantic coastal States' implementation of cooperative Federal-state right whale recovery plans, such as those concluded under section 6 of the Endangered Species Act. Funding is included to assist NMFS and its' partners to expedite right whale recovery in consultation with the Implementation Team and the Take Reduction Team.

Of the amounts provided, $2,130,000 is for efforts to reduce ship strikes, the leading cause of death of these whales, including $200,000 for whale detection technologies, $560,000 is for passive acoustic technologies, $295,000 is for active acoustic technologies, and $200,000 is for measuring whale response to approaching vessels; $2,060,000 is to reduce entanglement including, $666,000 is for gear modification, $200,000 is for Southeast disentanglement teams, $400,000 is for the New England Aquarium efforts, and $800,000 is for the Center for Coastal Studies. Of the funding provided for the Center, final funding allocation should be based upon recommendations of the right whale program coordinator.

Of the amounts provided for NMFS base programs, funding is expected to support priority management, enforcement, and ship strike prevention activities, including expedited development and deployment of innovative fishing gear and whale tracking technologies, improved stranding response and procedures, a whale-sighting advisory system, and a mandatory ship-reporting system. No more than 20 percent of funds provided to NMFS may be used for salaries of existing personnel.

Fisheries Research and Management.—The conferees include $3,450,000 for the recreational fishing information network program, and expect that the Pacific, Atlantic, and Gulf States shall each receive one-third of these funds with funding for inshore recreational species assessment and tagging efforts in South Carolina.

In addition, the conferees expect that $500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing.

As in prior fiscal years, the conferees expect the Oceanic Institute to administer funding for the Hawaii Fisheries Development and for the Hawaii Stock Management Plan.

The conferees direct that $750,000 for the Interstate Fish Commissions be equally divided among the three commissions. The conferees also recommend that NMFS double its effort with regard to California Cooperative Fisheries Investigation cruises. Of the amounts recommended for the Stellar Sea Lion Recovery Plan, $1,000,000 is for Alaska Fisheries Foundation to study innovative methods to deter whale predation of sea lions. In addition, the Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.

Enforcement of International Dolphin Agreement.—Although the National Marine Fisheries Service recently submitted it's completed science report required by the International Dolphin Conservation Program Act, the conference agreement includes $2,700,000 for research on dolphin encirclement in the eastern tropical Pacific (ETP). Funding is provided for additional research on herd sizes on which sets are made, additional biological sampling, impacts of cow-calf separation, and the impacts on dolphin populations of vessels with a carrying capacity of less than 400 short tons that are reportedly setting on dolphins in the ETP.

The conferees are concerned that Mexico and other non-U.S. parties to the International Dolphin Conservation Program [IDCP], of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality. The conferees direct the Department, and in consultation with key U.S. stakeholders, to evaluate and document any lack of compliance by the non-U.S. parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committees on Appropriations no later than May 1, 2003. The report is expected to include an evaluation of compliance with the on-board observer program, with a focus on national observers; reporting of dolphin interactions and mortality; international requirements for vessels; and actions by parties to follow-up on infractions identified by the international review panel.

Endangered Species-Columbia River.—The conferees include $1,590,000 to purchase two mass marking trailers for the state of Idaho.

Protected Resources Research and Management.—Of the amounts provided for Native Marine Mammals, $100,000 is to enable the Alaska Eskimo Whaling Commission to participate in International Whaling Commission meetings.

Chesapeake Bay—Of the amounts provided under this heading, $500,000 is for sea grass restoration. In addition, the conferees recommend that NOAA continue a micro-grant program allowing local governments and non-profit organizations to perform fisheries and shellfish restoration on the Chesapeake Bay. In addition, $1,500,000 is for seven full-time equivalents for the Oxford Laboratory to support the NOAA Chesapeake Bay Office's fisheries, habitat restoration, and ecosystem research needs.

The conferees provide $2,500,000 for a bay watersheds education and training program to be administered by the Chesapeake Bay Office. This initiative provides funding to establish an office in Virginia to better focus NOAA resources on Virginia issues in the Chesapeake Bay region. While cooperation between Virginia and NOAA programs is good, and significant NOAA funds are dispersed to Virginia programs, the physical distance between Norfolk and Annapolis limits the desired level of collaboration, not only with the NOAA Chesapeake Bay Office but also the Chesapeake Bay Program along with other signatories of the Chesapeake Bay agreement. This initiative guides NOAA to integrate existing staff resources across line offices and to appoint required staff to establish the program, working in concert with pertinent existing local, state, and federal offices or projects, academic institutions, NGOs, and the public. The program should integrate existing NOAA fisheries, habitat restoration, education, hazardous spill response, coastal zone, coastal oceanography, and other significant components. Of the amounts provided, $350,000 is available to for two full-time equivalents and administrative costs, including office space.

Enforcement and Surveillance.—The conferees continue at the fiscal year 2002 level funding for marine forensics and southeast fisheries' law enforcement, and the conferees expect cooperative laboratory activities to continue between NMFS and State and local governments and the academic community. The conferees recommend that three interstate marine fisheries commissions may be eligible to receive a portion of the Cooperative Enforcement Program funds for use in providing law enforcement coordination among the States and NMFS.

The conferees provide $23,734,000 for the operations of the enforcement and surveillance program, of which $14,800,000 is available from unobligated prior year balances. This is an increase of $3,314,000 above the fiscal year 2002 level.

NMFS Facilities Maintenance—Of the amounts provided, $325,000 is for additional costs related to the Santa Cruz laboratory.

Pacific Salmon Funding.—The conferees note the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. The conferees have provided hundreds of millions of dollars through this fund to be distributed among certain States and tribes for habitat restoration to assist in salmon population recovery. The conferees understand that there are other habitat restoration grant programs that fund grant proposals for the same purpose. Given the austere operating climate the conferees are working within, the conferees expect NOAA to prioritize funding from other habitat restoration funds on non-salmon related proposals.

The conferees understand the Secretary of Commerce has substantial legal obligations under the Endangered Species Act because no less than twenty-six runs of Pacific salmon are listed as endangered. Failure to make

progress toward recovery under the Endangered Species Act poses adverse legal consequences for the agency. The conferees have received no assurances from the Administration that these funds have actually contributed to the recovery of Pacific salmon populations. This is particularly important at a time when the Department is struggling to respond to a tremendous litigation caseload.

The conferees understand that some mechanism is necessary to assure legal and fiscal accountability for distribution of funds to States with listed salmon species. In addition, the conferees direct NOAA to provide an annual report to the Committee no later than April 11, of each year on the projects funded through the Pacific Salmon Recovery Fund and their projected and actual results, particularly focusing on progress toward recovery of endangered and threatened salmon species and projected ending date for funding needs based on recovery schedules. The conferees allow up to one percent of the amounts made available for the grants to the states under the Pacific Coastal Salmon Recovery Fund be made available to NOAA to accomplish this task.

Saltonstall-Kennedy—The conference agreement includes $11,325,000 for the Saltonstall-Kennedy grant program, including prior-year unobligated funds. The conferees understand that NOAA has refocused the S–K program to address the needs of fishing communities as defined by the Magnuson-Stevens Act. The conferees understand that there is duplication between this program and the priorities identified in the accompanying NMFS table. Given the austere budget constraints that conferees are operating within, the conferees expect NMFS to award grants based on priorities and geographic areas that are not specifically identified elsewhere in this agreement.

Therefore, the conferees expect NOAA to prioritize grant proposals relating to fishing communities in non-specified areas including, the Northern Mariana Islands, the Republic of the Marshall Islands, Republic of Palau, the Federated States of Micronesia, and other similar areas. Grants should focus on preventing over fishing, rebuilding of fisheries, and ensuring conservation, while realizing the full potential of fishery resources.

In addition, the conferees direct NOAA to assign high priority to proposals for research and education efforts directed at the protection of high-risk consumers from naturally occurring bacteria associated with raw molluscan shellfish, specifically Vibrio vulnificus. The conferees strongly urge NOAA to provide no less than $250,000 to the Gulf and Atlantic Foundation for their education efforts regarding Vibrio vulnificus.

Louisiana Oyster Assistance.—The conferees include $2,000,000 for economic assistance to the oyster fishery affected by Hurricane Isidore, and Hurricane Lili. The conferees direct that funding may be used only for activities to rehabilitate oyster resources or oyster reefs damaged by the storms and for domestic product marketing and seafood promotion.

NOAA RESEARCH	FY03 Conference Outcome
Climate Research	
Laboratories & Joint Institutes	
Aeronomy Laboratory (Colorado)	8,111
Atlantic Oceanographic and Meterological Laboratory (Florida)	5,691
Air Resources Laboratory (CO,ID,NC,NV,TN)	3,447
Climate Diagnostic Center (Colorado)	2,555
Climate Monitoring and Diagnostic Laboratory (Colorado)	5,952
Environmental Technology Laboratory (Colorado)	243
Forecast Systems Laboratory (Colorado)	156
Geophysical Fluid Dynamics Laboratory (New Jersey)	14,229
Pacific Marine Environmental Laboratory (Washington)	8,523
Subtotal, Laboratories & Joint Institutions	48,907
Climate & Global Change Program	
Base	68,608
Aerosols-Climate Interaction	2,000
Variability Beyond ENSO	1,000
Climate Forcing Agents	1,000
Accelerating Climate Models - IRI	2,100
Subtotal, Climate & Global Change Program	74,708
Climate Observations & Services	
Climate Reference Network	3,000
Climate Data & Info and CLASS in PAC	1,000
Baseline Operations	2,500
Regional Assessments, Education and Outreach	2,750
Climate Change Assessments	650
Weather-Climate Connection	900
Carbon Cycle	4,300
Ocean Observations/Ocean Systems	4,500
ARGO -Related Costs [considered part of ocean observations/systems]	10,950
Climate Modeling Center (GFDL)	5,000
Global Climate Atmospheric Observing System	4,000
Subtotal, Climate Observations & Services	39,550

NOAA RESEARCH	FY03 Conference Outcome
Climate Partnership Programs	
Central CA Ozone Study	250
East Tennessee Ozone Study	300
International Pacific Research Center (U of HI)	600
Arctic Research Initiative (SEARCH)	2,000
Subtotal, Climate Partnership Programs	3,150
Total, Climate Research	166,315
Weather & Air Quality Research	
Laboratories & Joint Institutes	
Aeronomy Laboratory (Colorado)	2,054
Atlantic Oceanographic and Meterological Laboratory (Florida)	3,921
Air Resources Laboratory (CO,ID,NC,NV,TN)	2,077
Climate Monitoring and Diagnostic Laboratory (Colorado)	166
Environmental Technology Laboratory (Colorado)	6,864
Forecast Systems Laboratory (Colorado)	10,646
Geophysical Fluid Dynamics Laboratory (New Jersey)	3,077
National Severe Storms Labroratory (Oklahoma)	7,552
Pacific Marine Environmental Laboratory (Washington)	264
Space Environmental Center (Colorado)	5,242
Subtotal, Laboratories & Joint Institutes	41,863
U.S. Weather Research Program	
Base	3,805
Energy Security (CA)	2,000
Targeted Wind Sensing	2,000
Subtotal, U.S. Weather Research Program	7,805
Weather & Air Partnership Programs	
Tornado Severe Storm Research	0
New England Air Quality Study	1,750
AIRMAP	5,000
STORM	349
Subtotal, Weather & Air Partnership Programs	7,099
Total, Weather & Air Quality Research	56,767

NOAA RESEARCH	FY03 Conference Outcome
Ocean, Coastal, and Great Lakes Research	
Laboratories & Joint Institutes	
Atlantic Oceanographic and Meterological Laboratory (Florida)	3,299
Environmental Technology Laboratory (Colorado)	445
Great Lakes Environmental Research Laboratory (Michigan)	8,421
Pacific Marine Environmental Laboratory (Washington)	7,483
Subtotal, Laboratories & Joint Institutes	19,648
National Sea Grant College Program	
Base	54,410
Aquatic Nuisance Species/Zebra Mussel Research	3,000
Gulf of Mexico Oyster Initiative	1,000
Oyster Disease Research	2,000
Subtotal, National Sea Grant College Program	60,410
National Undersea Research Program (NURP)	13,550
National Institute for Undersea Science and Technology	2,500
Subtotal, National Undersea Research Program (NURP)	16,050
Ocean Exploration	13,200
NMNH East Wing (Oceans)	2,000
Ocean & Coastal Partnership Programs:	
Aquatic Ecosystems-Canaan Valley Institute	4,300
Arctic Research	2,000
Cooperative Institute for Arctic Research	350
Institute for Science Technology and Public Policy	1,000
Gulf of Maine Council	250
Lake Champlain Research Consortium	250
NISA/Ballast Water Demonstrations	350
NISA/Prevent & Control Invasive Species	800
NISA Alaska	1,500
Ocean Health Initiative	8,000
Cooperative Institute for New England Mariculture and Fisheries	3,000
Aquaculture Education Program - Cedar Point MS	1,000
Pacific Tropical Ornamental Fish	450
Tsunami Hazard Mitigation	4,300
Subtotal, Ocean & Coastal Partnership Programs	27,550
Total, Ocean, Coastal, and Great Lakes Research	138,858
High Performance Information Technology	12,800
GRAND TOTAL NOAA RESEARCH - ORF	374,740

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes $374,740,000 for the Oceanic and Atmospheric Research line office. This amount combined with $4,920,000 from prior year unobliged balances provides a total program level of $379,660,000. The conference agreement includes the following amounts for basic laboratory research and support under Oceanic and Atmospheric Research:

Climate Change Research.—The conference agreement includes a total of $166,315,000 for climate change research, including $18,000,000 for the Climate Change Research Initiative (CCRI), as proposed. This initiative provides increases over the fiscal year 2002 level as follows: $1,000,000 for the ocean observations/ocean systems; $3,000,000 for ARGO-related costs; $1,000,000 for regional assessments, education, and outreach; $2,000,000 for research on the carbon cycle; $5,000,000 for the climate modeling center; $4,000,000 for the global climate atmospheric observing system; and $2,000,000 to study the aerosols/climate interaction.

Of the amounts provided, $67,608,000 is available for competitively awarded grants, including grants to joint institutes, as determined by the Secretary of Commerce. In addition, $1,000,000 is provided to continue a certain program in Arizona for regional climate change research.

Of the funding provided for climate and global change activities, $12,000,000 shall only be available after the Committees on Appropriation are provided with a plan for completion of the national assessment required in section 106 of the Global Change Research Act of 1990. The plan should include a completion date for the national assessment of no later than September 30, 2004.

National Sea Grant Program.—The conference agreement includes $62,410,000 for the Sea Grant program, of which $2,000,000 is from prior year unobligated balances. The conference agreement does not include a proposal to transfer the program to the National Science Foundation. Instead, the recommendation appropriates the same level of funding as in fiscal year 2002 for the Sea Grant program, in accordance with the National Sea Grant Act, Public Law 89–688, as amended. Within the amounts provided, $3,000,000 is included for zebra mussel research in accordance with the Non-indigenous Aquatic Nuisance Prevention and Control Act; $3,000,000 is for oyster disease research, including $1,000,000 to continue the Gulf of Mexico initiative on oyster-related human health risks.

National Undersea Research Program (NURP).—A total of $13,770,000 is included for the National Undersea Research Program, of which $220,000 is from prior year unobligated balances. The conferees direct that funding is to be equally split between the east coast NURP centers and the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The conferees expect level funding will be available for Aquarius, ALVIN, and program administration.

NISA Alaska.—The conferees include $1,500,000 to address the proliferation of exotic species such as Atlantic salmon in the marine environment in the North Pacific. Of this amount, $750,000 is for the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon into Alaska streams and to address other invasive species issues including mitten crab and green crab.

NISA/Ballast Water Demonstrations.—The conference agreement includes $2,250,000 for this program, of which $1,900,000 is from unobligated balances. The conferees expect special attention should be given to the concerns of the Chesapeake Bay and the Great Lakes.

NATIONAL WEATHER SERVICE	FY03 Conference Agreement
Operations and Research	
Local Warnings and Forecasts	
Base	505,892
Air Quality Forecasting Pilot Program	3,000
Alaska Data Buoys	1,700
Southern California Data Buoys	600
Aviation Forecast	38,096
High Resolution Temperature Forecasting	3,000
Mt. Washington Observatory	500
New England Weather Technology Initiative	500
Sustain Cooperative Observer Network	1,890
Subtotal, Local Warnings and Forecasts	555,178
Advanced Hydrological Prediction Services	6,098
WFO Maintenance	5,000
Weather Radio Transmitters Base	1,176
NOAA Weather Radio Transmitters - WY	374
North Dakota Ag Weather Network	270
Subtotal, Weather Radio Transmitters	1,820
Central Forecast Guidance	43,525
Total, Operations and Research	611,621
Systems Operation & Maintenance (O&M)	
NEXRAD	39,996
ASOS	7,650
AWIPS	36,500
NWSTG Backup - CIP	3,000
Total, Systems Operation & Maintenance	87,146
GRAND TOTAL NATIONAL WEATHER SERVICE - ORF	698,767

NATIONAL WEATHER SERVICE

The conference agreement includes total of $698,767,000 for the operations of the National Weather Service (NWS) for fiscal year 2003.

Local Warnings and Forecasts—The conferees provide $555,178,000 for local warnings and forecasts. Within the amounts provided, $2,500,000 is to begin a new seven-year initiative to improve the accuracy and timeliness of aviation warnings and forecasts.

Of the amounts provided, the conferees direct the NWS to continue the Susquehanna River Basin gauges project and expand this program to include the Delaware River Basin.

The conferees have provided sufficient funding to continue operations of the Huntsville, Alabama center.

Air Quality Initiative—The conference agreement includes $3,000,000 to complete the analysis of the air quality pilot program, finalize a concept of operations, and begin procurement of the information technology infrastructure necessary to support operational air quality forecasts by the end of fiscal year 2004. In addition, $3,000,000 is provided to complete the operational implementation of a temperature forecasting pilot in New England. Funding should provide for the modernization 200 meteorological observing stations and for the operational use of high-resolution forecasts models at 8 sites in fiscal year 2003.

Flash floods.—The conferees direct NOAA to commission the National Academy of Sciences to conduct a study to assess the availability, performance, and capability of the NWS NEXRAD located on Sulphur Mountain in Ventura County, California to detect heavy precipitation and aid forecasters at the Los Angeles Weather Forecast Office in providing flash flood warnings and forecasts, and on the basis of that study, to provide the Under Secretary of Commerce for Oceans and Atmosphere with a report on the performance of that mission by the NWS. The report also should include any recommendations for improving the accuracy and timeliness of flash flood warnings in and around western Los Angeles and Ventura Counties, California.

Systems Operations & Maintenance—The conference agreement includes $87,146,000 for systems operations and maintenance.

In addition, the conferees continue direction from prior years regarding Erie, Pennsylvania and Williston, North Dakota.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE	FYO3 Conference Agreement
Environmental Satellite Observing Systems	
Satellite Command and Control	35,447
Product Processing and Distribution	23,771
Subtotal, Environmental Satellite Observing Systems	59,218
Product Development, Readiness & Application	
Base	19,500
Coral Reef Monitoring	750
Joint Center/Accelerate Use of Satellites	1,500
Global Wind Demo	4,000
Subtotal, Product Development, Readiness & Application	25,750
Commercial Remote Sensing Licensing & Enforcement	1,200
Total, Environmental Satellite Observing Systems	86,168
NOAA's Data Centers & Information Services	
Archive, Access & Assessment	26,750
GOES Active Archive	2,000
Archive, Access & Assessment /Climate Database Modernization	15,850
Subtotal, Archive, Access & Assessment	44,600
Coastal Data Development	4,513
Regional Climate Centers	3,000
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	64,448
TOTAL NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE	150,616

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE

The conference agreement includes $150,616,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS).

Environmental Satellite Observing Systems—The Committee recommendation has provided a total of $86,168,000 for this account, including $23,771,000 for product processing and distribution. Within the recommendation, $1,500,000 is included for the Joint Center, and $4,000,000 is for a global wind demonstration.

Data Centers and Information Services—The conference agreement includes $64,448,000 for NOAA's Data Centers and Information Services, including $15,850,000 for the climate database modernization efforts in Kentucky and West Virginia. The conferees restore funding for the regional climate centers, which was proposed for elimination. The conferees recognize the value of NOAA climate data centers as the U.S. repository for historical environmental data.

The conferees direct NESDIS to continue fiscal year 2002 current staffing levels at the Gilmore Creek Tracking Station in fiscal year 2003. NESDIS will provide a report to the Committees on Appropriations by March 1, 2003 on how it plans to implement the new National Polar Orbiting Environmental Satellite System and its plans for the Gilmore Creek Tracking Station including staffing projections.

Within the amounts provided, $300,000 is to conduct a study to assess the feasibility, costs, and timing issues of the Fairmont, West Virginia location as a third site for physical storage of data from the CLASS program.

PROGRAM SUPPORT	FY03 Conference Outcome
Under Secretary and Associate Offices Base	23,823
Policy Formulation and Direction Base	29,000
Educational Partnership Program/Minority Serving Institutions	15,000
National Ocean Science Competition	1,000
Total, Corporate Services	68,823
Environmental Compliance	2,000
Maintenance and Safety	3,225
Pribilof Islands Cleanup	8,000
Total, Facilities	13,225
Marine Services	
Marine Services Base (Data Acquisition)	63,829
AGATE PASS (Coastal YTT) Operations	350
Subtotal, Marine Services (including base)	64,179
Fleet Planning and Maintenance	11,120
AGATE PASS (Coastal YTT) Maintenance	250
Subtotal, Fleet Planning and Maintenance	11,370
Total, Marine Operations and Maintenance	75,549
Aircraft Services	14,800
P-3 Upgrade	1,000
Total, Aircraft Services	15,800
Total, Marine and Aviation Operations	91,349
GRAND TOTAL PROGRAM SUPPORT - ORF	173,397

PROGRAM SUPPORT

The conference agreement includes $173,397,000 for the Program Support line office. The conference agreement continues a limitation of the administrative costs of the agency to $243,000,000. This limitation is in response to NOAA's practice of assessing certain programs and activities for the costs of managing those programs, including grant programs.

The recommendation includes $91,349,000 for maritime and aviation fleet maintenance and operations. The recommendation provides sufficient funding for routine maintenance of the existing NOAA fleet.

Program Review—The conferees laud the results of the Program Review Task Force (PRT) review. In fact, a number of the task forces' recommendations address longstanding concerns regarding the management of NOAA. For example, the grant process has been of particular interest to the conferees. Many of the conferees have heard complaints from grant recipients regarding unnecessary delays. For fiscal year 2002 alone, these delays contributed to $462,566,000 in prior year funding remaining unspent. In a number of areas, the conferees have taken into account these unobligated balances when determining the fiscal year 2003 levels for certain programs. The conferees support the efforts of NOAA management to alleviate many of these problems.

Office Relocations—The conferees direct the Department to submit quarterly reports providing details of all office moves, openings, reductions and closings, which will be considered as a reprogramming under section 605 of the Act. The conferees expect to be notified of office relocations before final agreements are made.

Pribilof Island Cleanup—The recommendation includes $8,000,000 for Pribilof Island cleanup. In 2000, Congress passed the Pribilof Islands Transition Act which created the framework under which NOAA was to complete the environmental cleanup of the property that it currently or formerly owned on the islands, and complete the transfer of that property to the designated local entities. Concern has been raised regarding the lack of a comprehensive cleanup plan, and firm cost estimates. The conferees direct NOAA to provide timetable and cost estimates to complete a cleanup and land transfer no later than April 11, 2003.

Minority Serving Institutions.—The conferees direct that this program be extended to Native Hawaiian Serving Institutions and Alaskan Native Serving Institutions as defined in the Higher Education Act.

Facilities.—The conference agreement includes $1,000,000 for necessary improvements to the National Aquarium. The conferees expect the Department of Commerce to prepare a 20–year plan to upgrade the facility. The conferees expect a plan to be provided to the Committees on Appropriations no later than July 1, 2003.

PROCUREMENT, ACQUISITION AND CONSTRUCTION ($ IN THOUSANDS)	FY03 Conference Agreement
NOS	
Coastal and Estuarine Land Conservation Program (CELP)	
Program Management	1,445
Camp Salmen, LA	1,350
Staten Island Harbor program	1,947
Tillamook Bay, OR	600
Mu'olea Point, HI	2,025
Meadowlands, NJ	3,000
South Orange Natural Community, CA	2,000
Seacoast, NH	2,000
Laughlin Cove, WA	200
Rocky Point, RI	1,900
Deer Island, MS	2,200
North Bass Island, OH	2,000
East Sandusky Bay, OH	2,500
Mill River, CT	1,000
Morro Bay Dunes, CA	500
Deer Lagoon, WA	600
City of Two Harbors, MN	400
Bonneau Ferry, SC	10,000
Cooper River, West Branch, SC	2,000
Subtotal, Coastal and Estuarine Land Conservation Program	37,667
Estuarine Land Acquistion & Construction:	
NERRS Base	4,012
Waquoit Bay NERRS	1,500
Sapelo Island NERRS	1,500
Conservation Institute	1,000
ACE Basin	4,500
Great Bay Partnership	6,000
Grand Bay, MS	6,000
Bonneau Ferry, SC	4,000
Subtotal, NERRS Acquisition/Construction	28,512

PROCUREMENT, ACQUISITION AND CONSTRUCTION ($ IN THOUSANDS)	FY03 Conference Agreement
Marine Sanctuaries Construction:	
Base	5,000
National Monitor Sanctuary	5,000
Subtotal, Marine Sanctuary Construction	10,000
Other NOS Facilities:	
Kasitsna Bay Laboratory	700
Port Aransas Marine Science Institute	200
Subtotal, Other NOS Facilities	900
Total NOS - PAC	77,079
NMFS	
Aquatic Resource Program	7,000
Honolulu Lab	15,000
Kodiak Pier	2,000
Ketchikan Facilities	3,000
Total, NMFS - PAC	27,000
OAR	
Systems Acquisition	
Comprehensive Large Array Data Stewardship System	2,900
Research Supercomputing (GFDL)	7,550
Subtotal, OAR Systems Acquisition	10,450
Construction	
Barrow Planning and Design	1,000
Norman Consolidation Project	6,000
Subtotal, OAR Construction	7,000
Total, OAR - PAC	17,450

PROCUREMENT, ACQUISITION AND CONSTRUCTION ($ IN THOUSANDS)	FY03 Conference Agreement
NWS	
Systems Acquisition	
ASOS	5,125
AWIPS	16,264
NEXRAD	8,260
WFO Huntsville, AL	3,000
NWSTG Backup	0
Radiosonde Network Replacement	6,989
Weather and Climate Supercomputing	21,160
Subtotal, NWS Systems Acquisition	60,798
Total, NWS - PAC	60,798
NESDIS	
Systems Acquisition	
Geostationary Systems	171,391
Polar Orbiting Systems	322,538
Coastal Remote Sensing - CSC	500
Subtotal, NESDIS Systems Acquisition	494,429
Total, NESDIS - PAC	494,429
Program Support	
CAMS	10,000
Herbert Hoover Infrastructure Repairs (Educational Outreach)	1,000
G-IV Instrumentation Upgrades	8,400
Fleet Replacement	
Small Waterplane Area Twin Hull Vessel	9,000
Fisheries Research Vessel Replacement #2	50,874
Hydrographic Equipment Upgrades	6,200
Subtotal, OMAO Fleet Replacement	66,074
Total, Program Support - PAC	85,474
GRAND TOTAL PAC	762,230

PROCUREMENT, ACQUISITION AND CONSTRUCTION

(INCLUDING TRANSFERS OF FUNDS)

The recommendation includes a programmatic level of $832,230,000 for fiscal year 2003, of which $762,230,000 is from new appropriations and $70,000,000 is from prior year unobligated balances. The recommendation assumes $3,200,000 from prior year deobligations. This account funds capital assets acquisition activities, including system and land acquisition, marine sanctuary and estuarine reserve construction, aircraft and vessel systems, and equipment.

The conferees have amended section 204 regarding reprogramming requirements to include all increases and decreases affecting capital assets. The following distribution reflects the activities funded within this account:

Coastal and Estuarine Land Conservation Program (CELP)—The conferees include $37,667,000 for the land acquisition program. The conferees understand that regulations for this program have not yet been finalized. For the priorities identified by the conferees, the interim regulations will apply as in fiscal year 2002, including funding and match requirements. This program is intended to protect those coastal and estuarine areas with significant conservation, recreation, ecological, historical, or aesthetic value.

Marine Sanctuaries Construction—Of the amounts provided, $5,000,000 is for the final Federal costs of the efforts relating to the National Monitor sanctuary center.

National Marine Fisheries Service—The conferees continue the aquatic resource program at the level of $7,000,000.

Construction—The conferees remain concerned that there is no long-term facility plan, including maintenance schedule for NOAA. A five-year plan for such purposes was requested during the fiscal year 2003 budget hearing before the House. To date, no plan has been provided. Further, there have been two separate incidents where NOAA has changed the scope of a funded project, including the location, without prior notification to the Committees on Appropriations. The conferees expect a final plan no later than June 30, 2003.

Geostationary Systems—Under this heading, the conferees include $221,391,000, as requested, of which $50,000,000 is to be derived from unobligated prior year balances. The conferees understand that the launch readiness date for N, O, and P, has slipped by one year. In addition, the conferees understand that the earliest available launch date for the GOES–R series has been revised from 2010 to 2012. The most recent data available to the conferees reflect a total $55,400,000 available from unobligated prior year balances to be used in fiscal year 2003 therefore, $5,400,000 continues to be available for any unforeseen purposes.

Polar Orbiting Systems—Under this heading, the conferees include $347,538,000, as requested, of which $25,000,000 is to be derived from unobligated prior year balances. The conferees understand that NOAA expects a ten-month delay in launching NOAA–M as a result of the unavailability of a launch pad site.

The National Polar Orbiting Operational Environmental Satellite System (NPOESS) is a joint program equally funded by the Department of Commerce and the Department of Defense based upon a 1994 decision to integrate civil and military polar-orbiting meteorological satellites systems into a single national system. This decision created a 50/50 cost-sharing partnership between the two departments. Due to the concern raised by NPOESS program managers, the conference agreement continues language formalizing this cost-sharing partnership as in the fiscal year 2002. The conferees are aware that NOAA did not obligate $10,200,000 of the amounts provided in fiscal year 2002 for NPOESS as a result of Department of Defense obligation decisions in fiscal year 2002.

Fleet Replacement—The conference agreement includes $50,874,000 for the second fisheries vessel. This vessel would replace the 40–year-old ALBATROS IV, as proposed. In addition, $9,000,000 is provided to continue construction of small waterplane area twin hull vessel to be homeported in New Castle, New Hampshire.

Hurricane Surveillance Aircraft—The conference agreement includes $8,400,000 for necessary instrumentation upgrades to the Gulfstream IV to improve storm-tracking forecasts, as proposed.

PACIFIC COASTAL SALMON RECOVERY

The conference agreement includes $130,000,000 under this heading. A total of $40,000,000 is provided to fulfill the obligation of the United States under the 1999 Pacific Salmon Treaty between the United States and Canada. Specifically, $25,000,000 is included to complete the capitalization of the Northern Boundary Fund, and $15,000,000 is included to complete the capitalization of the Southern Boundary Fund. In addition, $90,000,000 is provided for grants to California, Oregon, Washington, Alaska, and coastal and river tribes for habitat restoration.

Of the amounts provided for the states, $28,000,000 is for the State of Washington, $22,000,000 is for the State of Alaska, $14,000,000 is for the State of Oregon, $14,000,000 is for the State of California, $9,000,000 is for the Pacific Coastal tribes, and $3,000,000 is for the Columbia River tribes.

Of the funds provided for the State of Alaska, $5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, $1,000,000 is for construction of salmon mitigation passes, $1,000,000 is for the Cook Inlet Fishing Community Assistance Program, $500,000 is for the Yukon River Drainage Association, $500,000 is for Fort Richardson fisheries, $500,000 is for Elmendorf AFB hatcheries, $500,000 is for Fort Wainwright fisheries, $450,000 is for universal quality standards, $450,000 is for competitive analysis of global salmon, $250,000 is to restore the king salmon runs in Coffman Cove, $250,000 is to enable the State of Alaska to participate in discussions regarding Columbia River hydro system management, $2,000,000 is to restore salmon runs at Chester Creek, Ship Creek, and Campbell Creek in Anchorage, $1,000,000 is to restore salmon runs in Seward, Alaska, and $100,000 is for the United Fishermen of Alaska's subsistence program.

Of the funds provided for the State of Washington, $4,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The funding shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species and Clean Water Acts. Further, $1,590,000 is for the purchase of two new mass marking trailers.

Of the funds provided to the State of Oregon, $1,100,000 is for conservation mass marking at the Columbia River Hatcheries; and $2,185,000 is for the purchase of two new and one used mass marking trailers.

Bill language is included designating the entire amount under the conservation category.

FISHERMEN'S CONTINGENCY FUND

The conference agreement includes a total program level of $2,376,000, of which $2,375,000 is from unobligated prior year funds.

The Fishermen's Contingency Fund provides compensation to U.S. fishermen for damage or loss of fishing gear and any resulting loss because of natural or man-made obstructions related to oil and gas exploration, development, and production on the Outer Continental Shelf.

FOREIGN FISHING OBSERVER FUND

The conference agreement includes $1,833,000 under this heading, of which $1,832,000 is from unobligated prior year funds.

Fees paid into the Fund are collected from owners and operators of certain foreign fishing vessels that fish within the United States Fishery Conservation Zone and are intended to be used by the Secretary of Commerce to finance the cost of placing United States observers aboard such fishing vessels.

FISHERIES FINANCE PROGRAM ACCOUNT

The conferees note that an appropriation is not necessary for the fisheries finance program account. Of the loan authority provided through bill language, $5,000,000 is for entry level and small vessel individual fishery quota [IFQ] obligation guarantees in the halibut and sablefish fisheries off Alaska pursuant to section 1104A(a)(7) of the Merchant Marine Act of 1936. These funds are provided for IFQ loans in accordance with section 303(d)(4) of the Magnuson-Stevens Act and section 108(g) of the Sustainable Fisheries Act.

In addition, $59,000,000 is for Traditional direct loan authority, of which $40,000,000 may be used for the direct loans to the United States distant water tuna fleet.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $44,954,000 for costs of managing the Department of Commerce. The recommendation includes $4,776,000 for the recurring costs for guard contracts, security equipment upgrades and an emergency communication system for the Herbert Clark Hoover Building originally funded with fiscal year 2002 emergency supplemental appropriations; $1,590,000 is for IT security increases; and $1,200,000 is for continuity of operation efforts.

Telework Programs—The conference agreement includes language, under section 208 to allow the Department of Commerce to carryover unused funds into the next fiscal year, saved as a consequence of the Department's implementation of telecommuting programs. Telecommuting programs offer the opportunity for cost-savings as well as increased productivity and employee morale. By allowing the Department to keep the savings from telecommuting, there should be a strong incentive for the Department to increase its number of telecommuters, as required by section 359 of Public Law 106–346. Telecommuting also can help improve traffic congestion, provide energy savings and improve air quality.

This appropriation provides for the Office of the Secretary and for staff offices of the Department, which assist in the formulation of policy, management, and administration.

Office Relocations—The conference agreement continues to direct the Department to submit quarterly reports providing details of all office moves, opening, reductions and closing, which will be considered as a reprogramming under section 605 of the Act.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $20,635,000 for the Commerce Department's Office of Inspector General for fiscal year 2003.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The conference agreement includes the following General Provisions for the Department of Commerce:

Section 201.—The conference agreement includes section 201, included in both the House and Senate, regarding certification of advanced payments.

Section 202.—The conference agreement includes section 202, included in both the House and Senate, allowing funds for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203.—The conference agreement includes section 203, included in both the House and Senate, making permanent a provision prohibiting of funds to be used to support hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve. The House section did not propose to make this section permanent.

Section 204.—The conference agreement includes section 204, included in both the House and Senate, regarding transfer authority among Commerce Department appropriation accounts. The language also makes the transfers subject to the Committee's standard reprogramming procedures, including the acquisition and disposal of capital assets. The Senate did not contain a provision on the matter of capital assets.

Section 205.—The conference agreement includes section 205, included in the House, requiring that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall not be subject to the reprogramming limitations in this Act. The Senate did not contain a similar provision.

Section 206.—The conference agreement includes section 206, included in both the House and Senate, making permanent a provision to allow the Secretary to award contracts for certain mapping and charting activities in accordance with the Federal Property and Administrative Services Act. The House did not make the provision permanent.

Section 207.—The conference agreement includes section 207, included in both the House and Senate, allowing the Department of Commerce franchise fund to retain a percentage of earnings from services provided for capital investments.

Section 208.—The conference agreement includes section 208, modified from a provision in the Senate, to provide $28,260,000 within the ''National Institute of Standards and Technology, Construction of Research Facilities'' account, for five projects. The House did not contain a similar provision.

Section 209.—The conference agreement includes section 209, included in the Senate, to provide $10,000,000 for an Alaskan Seafood marketing program. The House did not contain a similar provision.

Section 210.—The conference agreement includes section 210, included in the Senate, to authorize and appropriate $50,000,000 for travel and tourism grant program. The House did not include a similar provision.

Section 211.—The conference agreement includes section 211, included in the Senate, to exempt two foreign-built cruise ships to engage in service between and among the islands of Hawaii. The section is modified to prohibit vessels access.

Section 212.—The conference agreement includes section 212, included in the Senate, designating requirements for a certain fishing capacity reduction program for the West Coast groundfish fishery. The House did not contain a similar provision.

Section 213.—The conference agreement includes section 213, a new provision, allowing the National Weather Service to engage in a certain lease arrangement to be funded from base resources.

Section 214.—The conference agreement includes section 214, a new provision, designating certain programs under the conservation category.

TITLE III—THE JUDICIARY

The conferees do not agree with the practice of the Judiciary of displaying significant program increases as adjustments to base. The conferees direct the Judiciary to discontinue this practice.

The conferees expect the Judiciary to submit a financial plan, allocating all sources of available funds including appropriations, fee collections, and carryover balances. The Judiciary should consider this financial plan to be the baseline for reprogramming and expects the plan to be submitted within 30 days after enactment of this Act.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The conference agreement includes $45,743,000 for the salaries and expenses of the Supreme Court, as provided by the House, instead of $44,399,000 as provided by the Senate. The conference agreement provides increases for information technology and security related initiatives.

The conferees are aware of continued concerns about the number of minority law clerks at the Supreme Court. The Conferees are appreciative of the Court's responsiveness in providing information regarding its hiring practices and encourages the Court and the Judicial Conference of the United States to continue to make progress in this matter.

CARE OF THE BUILDING AND GROUNDS

The conference agreement includes $41,626,000 for the Supreme Court ''Care of the Building and Grounds'' account, as provided by the House, instead of $53,304,000 as provided by the Senate. The conference agreement is $12,000,000 below the request for the Supreme Court building renovation project. The conferees understand that these additional obligations will occur in subsequent fiscal years and therefore may be budgeted in those fiscal years.

The conferees recognize there are security concerns related to the building modernization project and the Architect of the Capitol is directed to ensure that the Court's security concerns are addressed throughout the procurement and construction of the project. The conferees direct the Architect of the Capitol to submit the Committees on Appropriations, no later than 60 days after enactment of this Act, a financial plan and schedule for this project.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The conference agreement includes $20,313,000 for the United States Court of Appeals for the Federal Circuit, instead of $20,490,000 as provided by the House and $20,136,000 as provided by the Senate.

The conferees recognize that the Court has additional information technology and facility renovation requirements. However, the conferees also understand that between March 1992 and March 2001, filings have decreased by 13 percent. The conferees recommend the Court examine its base operating budget to identify funding that could be used to meet the Court's remaining information technology and facilities requirements. No funding is provided to establish a deputy circuit executive position.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The conference agreement includes $13,687,000 for the U.S. Court of International Trade, as provided by the House, instead of $13,529,000 as provided by the Senate. The conferees are pleased with the Court's utilization of the Judiciary Information Technology Fund to upgrade and enhance the Court's use of information technology without requiring additional appropriations.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The conference agreement provides $3,800,000,000 for the salaries and expenses of the Courts of Appeals, District Courts and Other Judicial Services. Within the funding provided, the Conferees direct not less than $10,000,000 for facilities enhancements to meet requirements associated with high threat trials and to upgrade the Judiciary's mail handling operations.

VACCINE INJURY COMPENSATION TRUST FUND

The conference agreement provides $2,784,000 from the Vaccine Injury Compensation Trust Fund as provided by both the House and the Senate.

DEFENDER SERVICES

The conference agreement includes $538,461,000 for the Federal Judiciary's Defender Services account, instead of $545,129,000 as provided by the House and $531,792,000 as provided by the Senate.

The conference agreement includes an increase of $30,066,000 to annualize the panel attorney rate increase provided in fiscal year 2002. This increase brought panel attorney hourly rates up to $90 for in-court and out-of-court hours. This was the first significant increase in private panel attorney hourly rates since 1986 and represents a 20 percent increase in the in-court rate and a 64 percent increase in the out-of-court rate.

In fiscal year 2003, the Judicial Conference requested an increase in the panel attorney rate to $113 per hour, which if approved would amount to a 25 percent increase over the rate approved in fiscal year 2002. Because it was recently implemented, the Judicial Conference is unable to document the impact of the significant increase provided in fiscal year 2002 to determine if that rate is sufficient to solve the problem of obtaining adequate counsel for CJA representations. In addition, from 1987 to 2001, the Congress and the Judicial Conference provided a higher hourly rate in 16 districts than the standard rate provided in the other 78 lower-cost districts. The conferees understand that there continues to be disparities throughout the country in the costs to provide legal representation, and yet the Judicial Conference's requested $113 hourly rate would reimburse panel attorneys at the same rate nationally.

Because of these uncertainties between localities, the size of the increase approved in fiscal year 2002, and the level of funding required to annualize this increase in fiscal year 2003, the conference agreement does not include the requested additional increase in the hourly rate this fiscal year. The conferees expect the Judicial Conference, before requesting any future rate increases, to consider the concerns described above. The conferees also expect any future rate increases requested above inflation to be justified as a program increase.

FEES OF JURORS AND COMMISSIONERS

The conference agreement includes $54,636,000 for Fees of Jurors and Commissioners, as provided by the House and Senate.

COURT SECURITY

The conference agreement includes $268,400,000 for the Federal Judiciary's Court Security Account, instead of $286,200,000 as provided by the House and $276,342,000 as provided by the Senate. In addition, the conference agreement includes $15,800,000 in the U.S. Marshals Service, Salaries and Expenses account for supervisory deputy marshals previously funded in this account.

In order to address the courts' security requirements, funding for this program has increased by approximately 50 percent since fiscal year 2001. However, the conferees are concerned that as the program has grown, sufficient attention has not been provided to program and budget administration, especially oversight of court security officer funding, positions and full-time equivalents. The conferees expect that the funding provided in the conference agreement will significantly improve this deficiency.

The conferees understand that this is a unique account appropriated to the Judiciary but primarily managed by the Department of Justice. The Committee expects the Director of the U.S. Marshals Service to provide the same level of budgetary and program oversight to this program as programs appropriated directly to the U.S. Marshals Service.

Within the level of funding provided, the conferees direct U.S. Marshals Service to conduct a study with an independent consultant on the management of this program and the unique relationship between the Federal Judiciary, the U.S. Marshals Service, and the Federal Protective Service in administering this program and providing facilities security for the Judiciary.

The conferees expect future budget justifications to clearly display the level and types of court security equipment and systems requested compared to the current year.

Within the level of funding provided, $1,000,000 shall be transferred to the U.S. Marshals Service for a courthouse security survey to be conducted by the Judicial Security Divison/Judicial Security Systems personnel.

Following the September 11th and anthrax attacks, the Judiciary was directed in the Conference Report accompanying Public Law 107–117, to consider establishing a court operations support center located outside of Washington, D.C. The Judiciary's study, conducted by an independent expert and endorsed by the Judicial Conference, recommends establishing a small leased facility at least 20 miles outside of Washington, D.C. This facility would help ensure continuity of operations in the event that administrative and automation support functions are shut down as a result of the closure of the Thurgood Marshal Federal Judiciary Building (TMFJB). The Judiciary's study recommends transferring portions of the courts' payroll processing, financial disbursing, and information technology support to this new facility. The study also recommends that this facility be within a reasonable travel range of the TMFJB so that it can be utilized by essential Administrative Office and court staff in the event that certain facilities located in Washington D.C. are shut down. The conferees direct the Judiciary to establish a judiciary automation and communications operations facility consistent with its study at an economically feasible location. The conferees expect costs of this facility to be absorbed within existing available resources as proposed by the Judiciary. The conferees encourage the Judiciary to find alternative uses for the facility during non-emergency periods. However, the primary design goal of the facility should be continuity of operations. As recommended in the study, the conferees direct the Judiciary to provide telework opportunities at this facility.

As discussed in the beginning of Title III, a financial plan is required to be submitted for this program.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The conference agreement includes $63,500,000 for the Administrative Office of the United States Courts.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The conference agreement includes $20,856,000 for salaries and expenses of the Federal Judicial Center as provided by the House, instead of $20,156,000 as provided by the Senate.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDIDICARY TRUST FUNDS

The conference agreement includes $35,300,000 for payment to various judicial retirement funds, as provided by both the House and Senate.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $12,090,000 for the U.S. Sentencing Commission, instead of $12,344,000 as provided by the House and $11,835,000 as provided by the Senate. As part of the financial plan discussed at the beginning of this title, the Commission is directed to provide plan for the utilization of carryover balances.

GENERAL PROVISIONS—THE JUDICIARY

Section 301.—The conference agreement includes a provision included by both the House and Senate allowing appropriations to be used for services as authorized by 5 U.S.C. 3109.

Section 302.—The conference agreement includes a provision included in the House related to the transfer of funds. The Senate included a similar provision.

Section 303.—The conference agreement includes a provision included in by the House allowing up to $11,000 of salaries and expenses provided in this title to be used for official representation expenses of the Judicial Conference of the United States. The Senate included a similar provision.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

In total, the conference agreement includes $7,900,660,000 for the Department of State and the Broadcasting Board of Governors. Of the total amount provided, $7,762,460,000 is derived from general purpose discretionary funds and $138,200,000 is scored as mandatory spending. This funding level includes significant program increases to improve diplomatic readiness and security. The conference agreement includes the full amount requested, $1,308,000,000, to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

DEPARTMENT OF STATE

The conference agreement for the Department of State is intended to continue the Department's efforts to achieve diplomatic readiness, strengthen diplomatic and border security, and to institute sweeping management reforms. In fiscal year 2002, the Congress enacted an appropriations increase of 16.8 percent to the Department's operating budget, including funding to support the hiring and training of an additional 910 employees.

The conference agreement includes a total of $7,394,026,000 for fiscal year 2003 for the Department of State. Of the total amount provided, $7,255,826,000 is derived from general purpose discretionary funds and $138,200,000 is scored as mandatory spending. The overall funding level for fiscal year 2003 represents an additional 8.6 percent increase to the operating budget, which will support up to 585 additional new positions. The conferees expect that this funding level will allow the Department to meet critical embassy security and staffing requirements, modernize its technology and equipment, and continue vigorous management reform initiatives to right-size America's overseas presence.

The conference agreement includes a total of $5,587,293,000 for the discretionary appropriation accounts under Administration of Foreign Affairs; $1,539,710,000 for International Organizations and Conferences; $57,504,000 for International Commissions; and $71,319,000 for Other activities. The conferees' priorities for the Department of State are delineated in the following paragraphs.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The conference agreement includes $3,822,258,000 for the Diplomatic and Consular Programs account, including $553,000,000 to continue funding for worldwide security upgrades and $292,693,000 for public diplomacy programs. The conference agreement represents an increase of $192,246,000 above the fiscal year 2002 appropriation. Within this total, the funding level for worldwide security upgrades is $65,265,000 above the fiscal year 2002 level and the same amount as requested.

This appropriation provides for the formulation and execution of United States foreign policy, including the conduct of diplomatic and consular relations with foreign countries, diplomatic relations with international organizations, and related activities. The account includes funding for all of the program and operations bureaus and offices of the Department of State and the Foreign Service.

The conference agreement includes funding for program activities described below:

Diplomatic Readiness Initiatives.—The conference agreement includes a program increase of $70,000,000 for the diplomatic readiness initiative to support the hiring and training of approximately 399 new foreign service and civil service employees. Before obligation of these funds the Department shall provide the Committees, through the regular reprogramming process, a comprehensive spending and staffing plan accompanied by materials demonstrating any and all right-sizing analyses and actions taken worldwide since the issuance of the Overseas Presence Advisory Panel report in 1999. The Department may propose, through the reprogramming process, to reallocate funding under the diplomatic readiness initiative for critical foreign national hiring needs. The conferees expect that the highest priority will be placed on new positions in Near East and South Asia. The program increase described below for public diplomacy includes funding for additional foreign national public diplomacy staffing overseas.

Public Diplomacy Programs.—The conference agreement includes language specifying that $292,693,000 is available only for Public Diplomacy programs. The integration of the United States Information Agency into the State Department in fiscal year 2000 resulted in public diplomacy resources being spread across several different bureaus. The conferees believe that separately identifying total resource levels will facilitate the Committees' ability to monitor funding levels and trends for these activities. The amount identified for public diplomacy programs includes the costs of personnel and programs

throughout the Department. The conferees expect the Department to identify all organizational impediments to optimal performance of public diplomacy programs, and propose the necessary changes through the reprogramming process.

The conference agreement includes a program increase of $10,300,000 for public diplomacy programs. This funding will support expansion of InfoUSA content, and other internet-based information programs, including the translation of content into Arabic and South Asian languages, as well as the continuation of programs in the Arab and Muslim world initiated with fiscal year 2002 supplemental funding. This funding will also support surveys and research to improve effectiveness of public diplomacy programs, and increased local staffing worldwide.

The conferees acknowledge the critical role that public diplomacy will play in the global war against terror. The Department will not be successful in its important public diplomacy mission unless it is guided by a comprehensive, sustained strategy for program execution. The Department is directed to submit a Public Diplomacy Strategy to the Committees on Appropriations no later than June 1, 2003. The conferees understand that the need for interagency coordination in international public information programs has resulted in the creation of the White House Office of Global Communications. The use of any funds provided to the Department of State under this Act or any prior Act for initiatives or programs of the Office of Global Communications must be approved in advance by the Committees on Appropriations.

Africa Policy Advisory Panel.—The conference agreement includes language authorizing the Secretary to create an Africa Policy Advisory Panel, and provides up to $500,000 to fund related costs. The conferees expect that this panel will be appointed by the Secretary and will deliver its final report to the Secretary no later than one year from the enactment of this Act. The conferees believe that the U.S. Government too frequently fails to devote sufficient attention and resources to African affairs. African nations today face enormous obstacles to development and political stability. The United States has a vital national interest in helping African nations to develop workable solutions to provide people with freedom, economic opportunity, and functioning governments.

The conferees expect that the establishment of this panel will generate greater interest in the importance of Sub-Saharan Africa. In calling for this panel, the conferees recognize the complex issues facing Africa and the limited budgetary resources available to help policymakers address these problems.

The conferees acknowledge the Department's increased efforts in these areas, including the strengthening of the trading relationships spawned by the African Growth and Trade Act, substantially increasing two-way trade with Africa, launching a Sovereign Credit Rating Initiative, increased HIV/AIDS funding, programs to enhance African peacekeeping capabilities, support for UN and regional peacekeeping efforts, and assistance in ending conflicts continent-wide, including in the Sudan and in the Democratic Republic of the Congo.

Assertive engagement between Africa and the United States is vital to U.S. interest and necessary. Africa is a key player in our global war against international terrorism. Africa is also a key supplier of crucial resources, including oil. The most serious challenge facing Africa today is the AIDS pandemic: its social, economic, and political impact will be devastating for millions of Africans for years to come. In the past decade alone an estimated 17 million Africans died of AIDS. Of the 40 million people infected with HIV worldwide, an estimated 28 million are in sub-Saharan Africa. Civil war continues to plague the continent. The conflict in Sudan continues unabated with two million killed and four million displaced.

It is critically important to strengthen our relations with Africa and formulate a coherent, effective Africa policy. An Africa Policy Advisory Panel could help meet these objectives and explore related issues, including how the United States can most effectively assist in the fight against AIDS/HIV and other infectious deadly diseases in Africa; what role the United States should play in conflict prevention and resolution in Africa; how the United States can use its economic and development assistance more effectively; how the United States should approach recurring natural and man-made humanitarian crisis; what specific measures the United States can take to promote democracy, human rights, religious tolerance, and a free press in Africa; how the United States can help strengthen Africa's institutional capacity to fight international terrorism effectively, and U.S.-Africa security relations; what specific measures the United States can take to increase trade and investment between Africa and the United States.

The conferees expect that this panel will take a fresh look at U.S. policy in the region, focus more attention to the importance of U.S.-African affairs, and make recommendations to the Secretary for specific action.

Trafficking in Persons.—The conferees continue to be concerned about the serious problem of international trafficking in persons. The conferees note the important role given to the Department to monitor and combat trafficking in persons in the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386), and the establishment of the Office to Monitor and Combat Trafficking in Persons (TIP Office) within the Department. The conference agreement includes the costs to continue the operations of this office.

The conferees believe that there must be increased coordination among executive branch agencies and even within the Department of State with respect to the implementation of the Trafficking Victims Prevention Act of 2000 (Public Law 106–386). While the Committee recognizes that efforts have been made by the Interagency Task Force to establish a lower level group of the Senior Policy Advisers' Group, chaired by the Undersecretary of State for Global Affairs, the Department needs to better coordinate day-to-day activities to implement the Act. Current efforts by the Office to Monitor and Combat Trafficking to fulfill a similar function are impeded by the inability to obtain full participation and cooperation from other agencies and offices involved in addressing this critical area. In particular, the Committee is concerned that at times there is unnecessary duplication among the agencies that implement the program and inconsistent or uncoordinated approaches to combating the heinous abuses inherent in trafficking in persons.

In order to improve accountability for government-wide anti-trafficking policies, the conference agreement includes language establishing a Senior Policy Operating Group, chaired by the Director of the Office to Monitor and Combat Trafficking, who will have enhanced responsibility to help coordinate these programs. It will also provide the Committees and others in Congress a central point to obtain information and affect anti-trafficking programs administered by the U.S. Government. The conferees also expect that such a group will ensure that scarce resources are wisely used. The conferees believe that U.S. Government anti-trafficking programs should deliver coordinated, effective assistance to address all three areas of prevention, protection and prosecution, and such programs should focus on both sex trafficking and trafficking involving labor slavery, just as the Act addresses all such trafficking abuses.

The conferees do not intend to transfer ultimate agency decision-making power to the Operating Group. Its establishment is intended, however, to ensure active interagency discussion and full interagency coordination before and after agency decisions are made regarding significant actions to combat trafficking and to implement the Trafficking Victims Protection Act of 2000. Where grants are awarded by an agency's field offices abroad, the Operating Group will have to work out a mechanism to ensure that the making of such grants is not impeded while ensuring coordination between the agencies involved and the Operating Group.

Within the amount provided under this heading, the conferees expect the Department to provide sufficient staff positions from within Global Affairs to the TIP Office to assist in the production of the Department's annual report on trafficking in persons. In addition, the recommendation includes an increase of $500,000 for grants to the participating organizations in the War Against Trafficking Alliance for activities and services related to preparation, execution and follow-up for an international conference on sex trafficking to be held in Washington, DC. This conference will bring additional international attention to the issues related to sex trafficking, and will be an opportunity to network, share best practices, and develop international plans of action on prevention, prosecution and protection.

Facilities.—The conference agreement includes $30,448,000 for facilities-related initiatives. This includes $14,000,000 for the relocation and housing of the staff of the United States Mission to the United Nations in temporary space in anticipation of the construction of a new headquarters building. The funding level also includes an increase of $16,448,000, and a total funding level of $31,305,000, to continue the renovation and expansion of the Charleston Financial Services Complex and to cover consolidation costs for functions moving from Washington and the Financial Services Center in Bangkok.

Availability of Reports.—The conferees recommend that each U.S. Embassy translate into the official language of the host country the report for the host country from the ''Country Reports on Human Rights Practices'', the ''Annual Report on International Religious Freedom'', and the ''Trafficking in Persons Report'' within 30 days of issuance, and post those documents on the embassy website along with the English version.

NATO Interparliamentary Assembly.—The conference agreement includes such funds as necessary for costs associated with fulfilling United States responsibilities with regard to hosting the NATO Interparliamentary Assembly in 2003.

Interagency Task Force.—The conference agreement includes such funds as necessary for costs associated with the establishment of a U.S. Government interagency task force to monitor the United Nations headquarters renovation project.

Worldwide Security Upgrades.—The conference agreement includes $553,000,000, the full amount requested under Diplomatic and Consular Programs, for the costs of worldwide security upgrades. This funding includes $418,501,000 to provide full year costs

of maintaining base security activities at current levels. These activities include guard services, physical security equipment, armored vehicles, personnel, training and wireless communications.

In addition, the conference agreement includes $74,000,000 to continue the perimeter/compound security initiative. Through fiscal year 2002, upgrades had been completed at 115 posts. With this funding and additional funding under the Embassy Security, Construction and Maintenance account, upgrades will be completed at an additional 71 posts. The remaining 57 posts are scheduled for completion in fiscal year 2004.

The conference agreement also includes $21,000,000 for domestic technical and physical security upgrades, $17,302,000 to improve response to terrorist incidents and potential usage of chemical and biological weapons, and $22,197,000 to support additional positions in the Bureau of Diplomatic Security, including security engineers, security technicians, and civil service support staff. This increase is on top of 389 new positions provided in fiscal year 2002, which included 277 special agents, 13 security engineers, 18 security technicians and 81 civil service support staff. This staffing increase will ensure that sufficient resources are allocated to address continuing high threat levels overseas, to improve the management of overseas security improvement programs, and also to maintain domestic protective and other responsibilities. The Department shall submit a detailed spending plan by March 1, 2002, for the entire amount provided for worldwide security upgrades, subject to the regular reprogramming requirements. This spending plan shall include a complete and thorough accounting of prior year security funds.

Right-Sizing the U.S. Government Presence Overseas.—The conferees expect the Department to continue efforts to develop interagency mechanisms to better coordinate, rationalize and manage the overall deployment of U.S. Government personnel overseas. The conferees continue to expect that right-sizing can result in significant overall budget savings. Right-sizing is also discussed under the Embassy Security, Construction and Maintenance account.

Border Security Program.—The Department's budget request includes funding of $642,731,000 for the Department's Border Security program, to be entirely funded through collection of Machine Readable Visa fees. Since the submission of that budget request there has been a decline in fee revenue resulting from a reduction in the number of visa applications received. In addition, changes in programmatic emphasis have resulted from new laws as well as Departmental reviews of consular processes, procedures and policies.

These factors have led the Department to propose a new fiscal year 2003 budget for the Border Security Program totaling $616,821,000, a reduction of $25,910,000 from the original requested level. This adjusted level of operations includes a program increase of 52 new consular positions, reflecting projected workload increases in relation to visa applications, passport adjudications, citizen services and associated management. The new budget estimate includes $70,100,000, an increase of $15,000,000 over the original estimate, in the modernization and support area. This increase will fund software development to implement collection of a biometric in the visa and to support an expanded data share requirement with other agencies.

The conferees urge the Department to continue to work on an interagency basis to strengthen the visa process to make it an effective anti-terrorism tool, while avoiding the creation of unnecessary barriers or delays to legitimate travel to the United States. In this regard, the conferees expect the Department to submit a report by March 31, 2003, detailing all the changes to the visa application review process since September 11, 2001, and establishing a program spending plan and timetable for any further improvements or enhancements.

Based on information from the Department, the conferees estimate there will be $89,727,000 in carryover funds from fiscal year 2002 available to support the fiscal year 2003 program. The conferees continue to support Bureau of Consular Affairs efforts to implement the diversity visa program.

Saudi Arabia.—The conferees are gravely disappointed by reports that American citizens seeking refuge and assistance have been turned away at the U.S. Embassy in Riyadh, Saudi Arabia. The conferees expect the Department and the Embassy to follow the stated Department goal to support U.S. citizens abroad and those concerned about them in the United States, and to take every step possible within current law to ensure that any American citizens seeking refuge in similar cases are not treated in a similar fashion.

Minority Recruitment and Hiring.—The Department is directed to provide $1,500,000 to continue its educational partnership begun in fiscal year 2001 with Hostos Community College and Columbia University in New York. This model program will support the Department's ongoing efforts to increase minority hiring and diversity by facilitating the preparation of non-traditional and minority students for careers in the Foreign Service and the State Department. The conferees also expect the Department to continue base funding for an ongoing partnership with Howard University. With regard to this partnership, the funding is provided to support the Department's efforts to enhance the diversity of the U.S. diplomatic corps by increasing the number of underrepresented minorities in foreign relations and international affairs careers. These resources are to continue and expand the successful collaborative partnership between the Department and Howard University to recruit and prepare students from various institutions with large minority populations for positions in the U.S. Foreign Service.

Overseas Schools.—The conferees commend the Consolidated Overseas Schools Assistance Program for its effective work in improving the quality of education for children of U.S. citizens living overseas. The program fulfills a dual purpose of providing a high quality, American-style education for children of U.S. citizens assigned overseas and introducing the best in American educational practices to children of and educators of other nations. In addition, the conferees commend the Overseas Schools Advisory Council, which helps bring educational excellence to American-sponsored overseas schools through the enhancement projects of the Council's annual Educational Assistance Program. Further, the Council successfully encourages financial support to these schools from U.S. corporations and foundations, as well as volunteer participation in activities of the schools by U.S. firms' overseas employees and their spouses.

Office of Defense Trade Controls (ODTC).—The conferees note the efforts of the ODTC to streamline licensing processes and to reduce response times without compromising national security. However, despite improvements, the conferees remain concerned that compliance with existing regulations is increasingly problematic for small businesses, and has contributed to a drop-off in foreign sales for the U.S. satellite industry. The conferees are aware of additional concerns that some small businesses active in the manufacture and export of defense articles are unaware of the existence of the ODTC and export regulations. To deal with these concerns, the conferees expect the ODTC, within the level of funding provided under this account, to provide a point of contact and start-up guidance to small businesses and other new registrants, and to ensure they receive appropriate consideration. In addition, ODTC should develop training tools accessible to such small businesses, and other outreach efforts, as appropriate.

Extradition.—The conferees expect the Department to work with the Department of Justice to bolster efforts to negotiate effective extradition treaties.

Security of Classified Material.—Consistent with the report submitted to the Committees on Appropriations in 2002 regarding the number of containers used for storage of classified material that are not in compliance with Federal specifications, the recommendation includes such sums as necessary to continue efforts to replace such locks.

Art in Embassies.—The conferees support efforts to conduct collaborative art projects for display on-site at U.S. Embassies. Such projects can create a low-cost medium for dialogue and interaction, and can increase understanding of common interests and the free exchange of ideas. Within available funds, up to $1,000,000 may be used for this initiative.

New Post Openings.—The conferees are concerned that the Department is taking actions to establish new overseas posts before any request is transmitted to the appropriate Congressional committees, thereby undermining the purposes of Congressional review and Committee reprogramming requirements. The conferees remind the Department that the establishment of a new Department Office or post overseas is subject to section 605 reprogramming procedures. The conferees expect that any such proposals will, whenever possible, be included in the Department's annual budget submission, and will include a full accounting of the anticipated costs of such proposals. The Conferees remind the Department that decisions by the Committees on Appropriations to open new posts are based on overall U.S. foreign policy objectives, right-sizing considerations, and on the resource limitations of the Department. Such decisions are made irrespective of any unofficial or unauthorized presence the post might have established prior to the Department's submission of a formal request to the Committees on Appropriations.

Security Training and Enhancements.—Explosive growth in numbers of personnel in the Bureau of Diplomatic Security [DS] has created an imbalance between seasoned and unseasoned agents that can only be solved with time. The total number of DS agents now stands at 1,150, with just under half of these agents having been hired in fiscal years 2001 and 2002. The Committee therefore directs that DS utilize a portion of the funding provided under Frontline Security Readiness for the training of new agents.

Additionally, the conferees remain concerned about the Department's decisions relating to the placement of DS agents. This is a time of heightened threat to our overseas posts, as demonstrated by recent attacks against U.S. diplomatic and military installations around the world. Given this security environment, the conferees are concerned that too few agents are stationed overseas compared with the number on assignment in the United States. The conferees direct the Secretary of State to submit a staffing plan for the Bureau of Diplomatic Security to the Committees on Appropriations by June 1, 2003.

At this time of heightened threat to American posts abroad, the benefits of the security enhancement funds the Committees

have provided to the Department since the Dar and Nairobi bombings in 1998 are being realized. The most recent indicator of improved physical security at U.S. posts overseas came on June 14, 2002, when a suicide bomber detonated a 500–pound fertilizer bomb outside the U.S. Consulate General in Karachi. The physical damage to the building was minimized due to recent security upgrades to the embassy compound. The Consulate's perimeter wall had recently been reinforced, and barriers installed between the wall and the street prevented the vehicle from reaching the building. Shatter resistant window film also significantly mitigated damage from the blast. An earlier reconfiguration of interior office space, undertaken to provide additional blast separation, also proved helpful. Continual security upgrades to existing properties are as important as the Department's Capital Security Construction program. Accordingly, the conference report includes full funding for worldwide security upgrades.

Host country relations.—The conference agreement includes up to $2,000,000 out of available funds to continue the Ambassador's Fund for Cultural Preservation. U.S. Ambassadors serving in less developed countries may submit competitive proposals for awards for one-time or recurring projects. Awards will be based on the importance of the site, the country's need, and the potential of the award to make a meaningful contribution to the preservation of the site, object, or form of expression. The Department is directed to submit an annual report to the Committees on Appropriations on winning projects.

International Center for Muslim-Western Dialogue.—The conference agreement for the Embassy Security Construction and Maintenance account includes funding for the restoration of the original U.S. consular facility in Istanbul, Turkey. The conferees direct that the facility be used as an International Center for Muslim-Western Dialogue, the mission of which shall be to promote democracy. The conferees direct the Secretary to collaborate with existing non-profit organizations that focus on Western-Muslim relations such as the Asia Foundation, the National Endowment for Democracy, and other U.S.-based centers for Islamic studies in developing a plan for the creation and administration of the Center. The conferees encourage the non-profit organizations involved in the planning of the Center to play a continuing role both in the administration of the Center and in the execution of its programs. The Department is directed to submit this plan to the Committees on Appropriations no later than September 1, 2003.

Language training.—Several reports have identified a serious shortage within the Federal Government of personnel who possess the language skills required for their positions. This challenge appears particularly acute at the Department of State where language skills are directly linked to the execution of the Core Missions. Reliable aggregate data on the language capabilities of Foreign Service Officers [FSOs] is, however, not generally available or, when available, is seriously flawed. The Department has indicated that the primary factor contributing to its inability to meet its language staffing and proficiency goals is an overall staffing shortfall of more than 1,100 people, as identified in the Department's Diplomatic Hiring Report. This report led the Department to propose the Diplomatic Readiness Initiative, a program under which a projected 1,158 new Foreign Service Officers will be hired over a 3–year period. However, the Diplomatic Readiness Initiative does little to address the specific problem of language proficiency at the Department. Funds available for salaries should be leveraged to provide pay incentives to FSOs who gain expertise in hard-to-learn languages, to provide an attractive career path for linguists, to enhance the retention of FSOs with desired language skills, and to provide ample training opportunities to FSOs willing to learn a difficult language mid-career. Funds provided for workforce retention should also be utilized to recruit native speakers of difficult and hard to fill languages, drawing upon the vast human resources afforded by a demographically diverse United States. Language proficiency must be a criterion in the selection of FSOs. If our diplomats truly are our ''first line of defense'' against foreign threats, then their ability to converse fluently in the languages of the countries to which they are posted is critical to national security. The conferees direct the Department to develop a plan to address the problem of foreign language proficiency, particularly as it concerns difficult languages, and to submit the plan to the Committees on Appropriations no later than July 1, 2003. The conferees further direct the Department to collaborate with the Committees during the preparation of the fiscal year 2004 appropriations bill so that immediate funding requirements associated with improving foreign language proficiency can be met as soon as possible.

Continuing language education.—Language skills ensure that dependents of Department of State personnel are not overwhelmed by isolation and alienation, resulting in lowered post morale. The conference agreement includes up to $10,000,000 for continuing language education programs for both employees and dependents at posts worldwide. Language classes should also be open to non-State Department (Federal) employees on a space-available, reimbursable basis.

Office of Foreign Missions.—The conferees are aware of concerns that the Office of Foreign Missions [OFM] may be more appropriately aligned organizationally with other management functions, rather than with the Bureau of Diplomatic Security. The conferees expect the Department to submit a report to the Committees by June 1, 2003, reassessing organizational issues with regard to OFM, and including any recommendations for changes.

International conservation of sea turtles.—The conferees remain concerned with the increasing threat to sea turtles, particularly those listed under the Convention on International Trade on Endangered Species of Wild Fauna and Flora [CITES], from incidental capture by foreign fishing fleets, particularly in the longline fishery. The Department has ignored Committee direction for the past 2 years. Specifically, the Department ignored direction stating that the Secretary should, on an expedited basis, negotiate strong, enforceable management, reporting, and data collection measures (including economic measures) focused on reducing incidental capture of sea turtles in commercial fisheries under regional management agreements for living marine resources. These agreements include the Inter-American Sea Turtle Conservation Treaty, the Inter-American Tropical Tuna Convention, the International Convention for the Conservation of Atlantic Tunas, and the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (the Multilateral High Level Conference). The conferees are concerned that no international agreements specifically addressing turtle by-catch from longline fishing have been negotiated, and the Department has negotiated only voluntary initiatives rather than binding agreements to this end.

The conferees expect the Secretary, in cooperation with the Secretary of Commerce, to use all appropriate means available to broaden the participation of other nations in the Convention on the Conservation and Management of Highly Migratory Species in the Western and Central Pacific Ocean. Of the funding provided for the Bureau of Oceans and International Environmental and Scientific Affairs, not less than $750,000 shall be for negotiating, in consultation with the Department of Commerce, a binding agreement providing for annual reductions in sea turtle mortality in the longline fisheries of the Western and Central Pacific, that shall, by 2008, result in at least a 30 percent reduction in takes, and thereafter result in such fisheries meeting sea turtle take levels comparable to those achieved by the U.S. longline fleet.

Conservation enhancements.—The conferees are concerned that non-U.S. parties to the International Dolphin Conservation Program (IDCP), of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality. The conferees expect the Department, in conjunction with the Department of Commerce, and in consultation with key U.S. stakeholders, to evaluate and document any lack of compliance by the non-U.S. parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committees no later than September 30, 2003. The report should include an evaluation of compliance with the on-board observer program, including a comparison of the reporting frequency of national observers as compared to IATTC observers; reporting of dolphin interactions and mortality; operational requirements for vessels; the extent to which vessels with a carrying capacity of 400 short tons or less are setting on dolphins, and actions by parties to report and follow-up on infractions identified by the international review panel. The conferees also expect the Department, in conjunction with the Department of Commerce, to seek measures to strengthen the IDCP to reduce impacts from setting on dolphin populations in the ETP other than reported mortalities, including expanding the application of the IATTC observer program to include vessels with a carrying capacity of 400 short tons or less, requiring measures that will reduce cow-calf separation, limiting the number of sets on dolphins, and limiting the dolphin herd sizes on which sets are made. Of the funding provided for the Bureau of Oceans and International Environmental and Scientific Affairs, not less than $750,000 is for these negotiations.

International trade.—In past years the Department has attempted to pursue enhancements for international trade activities that fall more appropriately under the jurisdiction of the Commerce Department's International Trade Administration, and in particular under the jurisdiction of the United States and Foreign Commercial Service. The conference agreement does not include funding for any new initiatives with regard to expansion of international trade activities. In addition, the conferees expect that the Department will not unnecessarily impede any legal and appropriate technical discussions between the United States Department of Agriculture and Cuba's Agriculture ministry regarding health standard certifications for agricultural products exported from the United States to Cuba.

Secure Card Technology.—The conferees are aware that the U.S. Embassy in Mexico City began issuing secure laser visa border crossing cards to Mexican visitors in May,

2002. The conferees direct the Department, in consultation with the Immigration and Naturalization service, to report no later than May 5, 2003 on the success of this secure visa issuance program in Mexico City. The report should provide recommendations to the Committees regarding the expansion of this visa issuance process to all visa types and the potential for application of the secure card technology at U.S. foreign missions.

Fingerprint services.—The conferees expect U.S. embassies and consulates with fingerprinting capabilities to fingerprint aliens seeking first-time flight training in aircraft weighing 12,500 pounds or more and transmit those fingerprints to the Department of Justice and other relevant agencies for the purposes of checking fingerprints against appropriate terrorist watch-lists.

International Child Abductions.—The conferees remain concerned about the adequacy of the Department's efforts to counter the serious problem of international child abductions. Within 90 days of enactment of this Act, the Department is directed to submit a report to the Committees on Appropriations which includes the following information: the country, location, and number of all known U.S. citizens under the age of 18 who have been abducted by a parent or relative as the result of a custody dispute and who are being held abroad in contravention of U.S. laws or judicial orders; a summary of actions taken by the Department of State to secure the repatriation of abducted American children; and a list of diplomatic measures, including treaties and agreements, that can be used to facilitate the repatriation of abducted American children. The conferees expect the Department to complete and release the State Department's report on compliance with the Hague Convention on the International Aspects of Child Abduction. The Hague Convention, which the United States and many of our Allies have signed, is in place to facilitate the return of internationally abducted children to their countries of ''habitual residence'' for custody determination. The conferees recognize the importance of compliance with the Hague Convention and request this report be sent to the Committee on Appropriations no later than March 31,2003. The conference agreement includes such funds as necessary to be used for an international conference on best practices in adoption. The conference would promote cooperation among the U.S. and other countries in support of the Hague Convention.

Globalization.—Within available funding, up to $1,000,000 may be available, if merited, to support the Globalization Research Network [GRN] research consortium. The consortium conducts interdisciplinary, international studies of pressing problems faced by humanity. Any funding allocated to this activity shall be proposed through the regular reprogramming process.

Financial Operations.—Over the past several years the Department of State has made significant improvements in its financial operations. For the past six years, the Department has had clean audited financial statements. Additionally, the Department has been streamlining and centralizing its overseas and domestic financial operations in Charleston, South Carolina. The conferees are aware that the Office of Management and Budget has undertaken an effort to consolidate payroll operations among the Federal agencies. From Charleston, the Department currently pays over 25,000 Americans both domestically and overseas and over 35,000 local national employees in 180 different countries, bi-weekly, in local currencies. Before the Department expends any resources to join a consolidated payroll effort, the Committees on Appropriations are to be notified through the reprogramming process of any such plans and how this will affect staffing, and represent a cost savings to the taxpayer.

Changes from the Budget Request.— As in previous years, the conferees expect that there will be additional savings available to the Department, including exchange rate gains and vacancies in funded positions. The Department will have the ability to propose that savings be used for needs not funded by the recommendation through the normal reprogramming process.

CAPITAL INVESTMENT FUND

The conference agreement includes $183,311,000 for the Capital Investment Fund. In addition, the conferees expect that $86,000,000 in expedited passport fees will be used to support the information technology modernization effort, for a total fiscal year 2003 spending availability of $269,311,000.

The entire amount available under this heading, including fees, will support investments in new information technologies and infrastructure to improve the efficiency of Department operations. Costs associated with ongoing information technology operations and maintenance are included under the Diplomatic and Consular Programs account, as in fiscal year 2002.

The conference agreement provides the full requested amounts for two major technology initiatives:

$94,235,000 for the Classified Connectivity Project (CCP). This amount will enable the Department to replace obsolete computer and communications equipment that posts use for classified operations. The Committee views this project as the Department's highest priority technology investment activity, and expects the Department to achieve installation of CCP connectivity in all eligible posts by October 1, 2003. The Committee is willing to consider a reprogramming of funding under this account if additional resources are required to achieve this timetable.

$36,500,000 for the OpenNet Plus project. This amount will enable the Department to complete the expansion of desktop Internet access to all Department employees worldwide during fiscal year 2003. The Committee expects that, by April 30, 2003, 100 percent of bureaus and eligible posts overseas will have OpenNet Plus installed and operating, and 100 percent of Internet users Department-wide will have only one computer with Internet and Intranet access at their desktops.

The conference agreement includes a total of $17,000,000 for the Integrated Messaging and Foreign Affairs Systems Integration (FASI) initiatives, and $7,345,000 for public key infrastructure requirements. The Department shall report to the Committee no later than 30 days after the enactment of this Act on results of the FASI pilots in fiscal year 2002, and a program and financial plan for fiscal year 2003 to establish secure interagency communications using a public key infrastructure.

The Committee directs that the Chief Information Officer of the Department develop an annex to the existing IT Strategic Plan which outlines in detail the Department's 5-year strategy for maintaining and upgrading its existing IT infrastructure. This strategy will help ensure that the significant investments made in the last 2 years are not lost, and that the Department's current IT infrastructure is leveraged both to capitalize on these prior investments and to meet the needs of the Department. The Department is directed to submit this annex to the Committees on Appropriations no later than September 1, 2003.

The conferees direct the Department to submit, by April 30, 2003, an updated performance report for the Classified Connectivity and OpenNet Plus projects. This report should include a corresponding implementation timetable, a multi-year funding requirement table, and specific efficiencies and savings resulting from each project.

The conferees direct the Bureau of Human Resources, in consultation with the Chief Information Officer of the Department, to report to the Committees on Appropriations on how the Department plans to meet its short and long-term human capital needs in the area of information technology. The report should address such issues as pay incentives, specialized recruitment strategies, and preventing attrition to the private sector.

The conferees support the trend at the Department towards the central management of information. The conferees are aware that, at a time of increased threat to our overseas posts, the ability to store and manage information, particularly classified information, domestically can greatly enhance the security of that information. One technology that appears particularly promising is the high-assurance virtual wide area network [WAN]. This technology would allow the Department to minimize the information stored at post and permit computer terminals to be ''sanitized'' of sensitive information when not in use. Within the funds made available under this account for Centrally Managed Infrastructure, the Department shall institute a pilot project to develop a high-assurance virtual WAN architecture and prototype in support of Department of State activities. Up to $8,000,000 may be made available for this purpose, subject to reprogramming. The conferees expect the Bureau of Information Resource Management to collaborate closely with the Bureau of Diplomatic Security (DS) and with other relevant agencies on this pilot project. This will ensure that any technologies employed by the Department to centrally manage its information meet all of the security requirements set forth by DS and by other relevant agencies. The conferees direct the Department to present a preliminary plan for this project within 60 days of enactment of this Act.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $29,264,000 for the Office of Inspector General (OIG). The Inspector General conducts oversight at the State Department and the Broadcasting Board of Governors. The conference agreement includes funding for OIG oversight of the Department's efforts to implement worldwide security upgrades.

The conference agreement includes language, as in previous years, waiving the statutory requirement that every post be inspected every five years, in order to provide greater flexibility to the Inspector General to use resources in the most productive areas. The Department shall report to the Committees by July 4, 2003 on the OIG's post inspection regime, and the need for the continuation of waiver language in future fiscal years. The conferees believe that the OIG can achieve the statutory post inspection requirements within existing resource levels by re-engineering inspection processes and reprioritizing tasks.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes a total of $245,306,000 for the Educational and Cultural Exchange Programs of the Department of State. In addition to the amount provided under this heading, the Department expects to receive transfers from accounts in other appropriations acts for exchange programs, primarily with nations of east and central Europe, and of the former Soviet Union. The

following chart displays the conference agreement on the distribution of funds by program or activity under this account, including an estimated $5,754,000 in prior year recoveries:

	Amount (in thousands)
Academic Programs:	
Fulbright Students, Scholars, Teachers	123,000
Hubert H. Humphrey Fellowships	6,000
Foreign Study Grants for U.S. Undergraduates	1,575
Educational Advising and Student Services	3,600
English Language Programs	4,335
American Overseas Research Centers	2,500
South Pacific Exchanges	500
Tibet Exchanges	500
East Timor Exchanges	500
Disability Exchange Clearinghouse	500
Subtotal, Academic Programs	143,010
Professional and Cultural Programs:	
International Visitor Program	50,365
Citizen Exchange Program	17,000
Congress Bundestag Youth Exchange	3,000
Mike Mansfield Fellowship Program	2,200
Youth Science Leadership Institute of the Americas	100
Special Olympics	150
Africa Workforce Development Exchanges	300
National Forensics League	250
George Mitchell Scholarship Program	500
PSC US-Pakistan Educator Development	250
Institute for Representative Government	500
Irish Institute	275
Rule of Law Forum—SMU	800
Winter Cities Conference	100
Girls International Forum	200
Atlantic Corridor	275
Interparliamentary Exchanges with Asia/Africa	400
Subtotal, Professional and Cultural Exchanges:	76,665
North/South Center	500
Exchanges Support	30,885
Prior Year Balances Applied:	(5,754)
Total Exchange Programs:	245,306

Deviations from this distribution of funds will be subject to the normal reprogramming procedures under section 605 of this Act.

The Committee recognizes that international education and exchange programs are critical components of U.S. national security and foreign policy. In light of the tragic events of September 11, 2001 this type of engagement with the world is more important than ever. International educational and exchange programs enable the United States to augment the foreign language and foreign area expertise of each successive generation of rising leaders, prepare U.S. students to function effectively in a global environment through study abroad, and promote international understanding through professional, scholarly, and citizen exchanges.

The Conference agreement includes funding for citizen exchange programs (including continued base funding for the American Council of Young Political Leaders exchanges and the Congress-Bundestag Program). With respect to the Congress-Bundestag Program, the conferees intend that the amount provided will support 380 exchanges in fiscal year 2003, the same level as in fiscal year 2002. The conference agreement also includes funding for African workforce development exchanges (including funding for the AFTECH virtual university initiative) and funding for the Disability Exchange Clearinghouse. The conferees continue to support the goal of increasing the number and quality of exchange opportunities for people with disabilities. The conferees expect the Department to submit a report to the Committees on Appropriations within 90 days of enactment of this Act detailing current efforts to make exchange opportunities available for people with disabilities and a plan to increase such opportunities in the future.

The conference agreement includes funding for enhanced programs to engage Arab and Muslim audiences through educational and cultural exchanges. The conferees expect this funding to continue and expand the programs funded from fiscal year 2002 supplemental appropriations, including Fulbright Exchanges (including American Studies), English Language Programs (including English Language Fellows), US/Afghan Women's Council exchanges, Values/Religious Tolerance programs, Media Training Exchanges, and American Studies programs. The conferees expect the Department to allocate at least 15 percent of the fiscal year 2003 appropriations provided under this heading to the Near East region, and at least 10 percent of such funds to the South Asia region. Should additional recoveries become available under this heading, the conferees expect the Department to allocate such funds to programs to engage Arab and Muslim audiences on a priority basis.

Of the funds provided for the Council of American Overseas Research Centers, the conferees expect that necessary funds will be for a grant for research to develop a diamond fingerprinting technology that will facilitate the monitoring of the international trade in conflict diamonds.

The conferees expect the Department to submit a proposal for the programmatic and geographic distribution of available resources (including all unobligated balances and recoveries) through the normal reprogramming process within 60 days from the date of enactment of this Act. Within available funds under this account, the conferees encourage the Department to consider supporting the Israel/Arab Peace Partners, and African Career Internship Immersion Programs.

The conferees expect that the overall funding distribution will conform to the geographical guidance above. The conferees further expect that this distribution of available resources will separately identify any amounts allocated to subsidize the administrative expenses of programs that are not funded by amounts appropriated under this heading.

The conferees support the continuation of regional scholars and graduate exchange fellowship programs with the former Soviet Union, such as the Muskie Ph.D. program, and expect that these activities will be funded from within amounts transferred from other appropriations. In the event that these programs are not adequately funded from other appropriations, the conferees would entertain a proposal to fund such programs from this appropriation through the regular reprogramming process.

The conference agreement includes a limitation of not to exceed $2,000,000 on the use of fees or other payments received from or in connection with English teaching, educational advising and counseling, and exchange visitor programs as authorized by law.

The conferees are aware of the economic and cultural exchange program, as well as the proposed ''sister state'' relationship being developed between the Tver Region of the Russian Federation and the State of Louisiana. The conferees support these efforts and encourage the Department to consider providing assistance to the Louisiana-Tver Region of Russia international exchange program.

REPRESENTATION ALLOWANCES

The conference agreement includes $6,485,000 for representation allowances. These funds are used to reimburse Foreign Service Officers for expenditures incurred in their official capacities abroad in establishing and maintaining relations with officials of foreign governments and appropriate members of local communities.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes $11,000,000 for the Protection of Foreign Missions and Officials account. The increase under this heading reflects the addition of protection requirements after September 11th, including additional fixed guard posts and increased motorcade, demonstration and protective detail costs.

This account reimburses local governments and communities for the extraordinary costs incurred in providing protection for international organizations, foreign missions and officials, and foreign dignitaries under certain circumstances. The Committee believes that local jurisdictions incurring such costs must submit a certified billing for such costs in accordance with program regulations. The Committee also believes that in those instances where a local jurisdiction will realize a financial benefit from a visit by a foreign dignitary through increased tax revenues, such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program. The conferees expect the Department to treat such submissions diligently and provide reimbursement to local jurisdictions on a timely basis if claims are fully justified.

Of the total amount recommended, $2,300,000 is available for protection of foreign diplomats and their families throughout the United States. The Foreign Missions Act of 1982 authorizes the provision of such services when necessary either at the request of a foreign mission or on the initiative of the Secretary of State. In these situations, where State and local authorities cannot provide the security required, the Act permits the Department of State to employ the services of private security firms.

Of the total amount recommended, $8,700,000 is allocated to reimburse New York City for the protection of foreign missions and officials accredited to the United Nations and other international organizations. These funds provide for the costs of guard posts and security escort and motorcade services to foreign missions and personnel assigned to the United Nations.

The conference agreement includes language making these funds available until September 30, 2004.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement includes a total appropriation of $1,263,500,000 for Embassy Security, Construction, and Maintenance. The conference agreement designates $755,000,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities. The conference agreement includes $508,500,000 for non-security related costs. The conference agreement includes full requested wage and price increases for the Department's Office of Overseas Buildings Operations (OBO) totaling $12,936,000, which will support 787 positions in fiscal year 2003.

This account provides funding to manage U.S. Government real property worth more than $10,000,000,000 in over 200 countries, including maintaining 3,000 Government-owned and long-term leased properties at 250 posts and leasing approximately 1,100 office and functional facilities and 8,000 residential units, not only for the Department of State, but for all U.S. employees overseas. The Department's latest inspection survey identified in excess of 4,200 maintenance and repair needs, as well as major rehabilitation requirements.

Worldwide Security Upgrades.—The conference agreement includes $755,000,000 for security projects, including $608,550,000 to continue the capital security program of constructing new secure replacement facilities for the Department's most vulnerable embassies and consulates. Projects undertaken under this program will address the highest priority facilities from a security standpoint. The conferees are concerned that specific projects proposed in the budget request may not meet this criterion, and that in previous fiscal years the Department has proposed to reprogram funds under this activity for projects that do not address top priority security vulnerabilities and for projects that will not result, when complete, in a facility that meets existing security standards.

The conference agreement also includes $146,450,000 to complete worldwide perimeter security projects and begin a new initiative to upgrade compound security, including installation of forced entry/ballistic resistant roof hatches, vault doors and power-assisted vehicle barriers.

A proposed spending plan for the entire amount of available resources provided for worldwide security upgrades will be submitted through the normal reprogramming process within 60 days from the date of enactment of this Act. The Department shall notify the Committees immediately if there are any facilities that the Department believes face serious security risks.

Non-Security Base Programs.—The Committee expects the Department to propose an allocation of any proposed funding for non-security capital projects through the normal reprogramming process.

The conference agreement includes up to $53,500,000 for facility rehabilitation and up to $90,000,000 for maintenance and repair of buildings. Within the amounts provided, the conferees expect the Department to allocate funds as necessary: to renovate the Istanbul consulate to serve as a center for mutual cultural understanding; to carry out upgrades at the U.S. Embassy in Luxembourg; and to conduct renovations at the U.S. Embassies in Dili and Belgrade necessary to establish and maintain classified activities at post. In addition, the conferees are aware of proposals to address facilities and security requirements with regard to the U.S. presence in Rome. The conferees expect the Department to assess these proposals and requirements and allocate funding as appropriate within the funding provided under this heading. The conference agreement includes full funding for the leasehold program. Within available funds, the conferees expect the Department to allocate up to $20,000,000 for the buyout of uneconomic leases.

The conference agreement funding level includes the full amount requested for Security Management. This amount will support additional site security measures and cleared American guards to supervise an increasing number of capital projects.

The conference agreement also assumes $6,000,000 for headquarters operations, $17,500,000 for information management and support, and $23,000,000 for renovations of the Harry S Truman Building.

Right-Sizing the Overseas U.S. Government Presence.—The conferees continue to be disappointed at the failure to make discernable progress in the pursuit of an Administration-wide process of determining the right size and makeup of overseas posts, including the explosive staffing projections at posts scheduled for new office buildings. The conferees continue to define ''right-sizing'' as the reconfiguration of overseas U.S. Government staff to the minimum number necessary to meet critical U.S. foreign policy goals. The notion of right-sizing as a desirable means to improve security and gain efficiencies implies that the current number of overseas staff is greater than the minimum number necessary, and that the presence of a number greater than the minimum number presents an unnecessary financial and security burden. The conferees are not aware of any right-sizing analysis to date that has resulted in a proposed reduction to a country-wide staffing presence.

The conferees strongly encourage the Department to continue to work toward an interagency mechanism that can result in meaningful right-sizing. The conferees urge the Department to adapt, as appropriate, the basic right-sizing framework developed by the General Accounting Office to link embassy staffing levels to physical security considerations, mission priorities, and costs. In this regard, the conferees support the Department's effort to initiate a consolidation, streamlining and regionalization of country and multi-regional staffing in Frankfurt, Germany. The success of this initiative will be measured largely by the staffing reductions made possible at less secure locations throughout Germany, Europe, Eurasia, Africa and the Near East.

It costs two to three times as much to maintain an employee outside of the United States as it does within the United States. The conferees agree with the recommendation of the Overseas Presence Advisory Panel, that rationalizing staffing and operations abroad has the potential for large budgetary savings. The justification for all facilities projects funded under this account must include a full explanation of regional efficiency and security planning, and related staffing assumptions, and such projects will not be approved for funding absent evidence of the application of a uniform right-sizing methodology.

Assets Management.—The budget request designates $80,000,000 in assets management funds planned for expenditure in fiscal year 2003. The conferees expect that these funds will be used for opportunity purchases to replace uneconomical leases and for other priority capital acquisition purposes. In addition, as in previous years, the conferees expect that assets management funds will continue to be allocated in part to security construction needs. Any use of these or additional assets management funds in fiscal year 2003 is subject to reprogramming. In addition, with respect to the requirement that a reprogramming for any major new start be submitted, the conferees understand that requirement to mean that rehabilitation or construction of projects involving ambassador's residences will be subject to the requirement.

The conference agreement continues language carried in the bill in previous years that prohibits funds from being used for acquisition of furniture and furnishings and generators for other departments and agencies.

Soft Targets.—Recent terrorist attacks have brought into focus a new kind of threat against our interests abroad, specifically, threats against so-called ''soft targets''. The conferees direct the Department to formulate a strategy for addressing such threats to locales that are either frequented by Americans or are symbolic of the United States. The conferees are particularly concerned about the safety of American schools abroad, as well as international schools attended by American children. The conferees direct the Department to undertake a review of the security of all overseas schools attended by the children of non-military United States government employees. The report shall include information on each individual facility, including but not limited to the number of American children enrolled at the school; an accounting of all financial assistance provided to the school by the Department of State for the past 5 fiscal years; threat and risk assessments; an evaluation of the adequacy of the school's security in light of these threat and risk assessments; and recommendations for immediate steps the school can take, with the support of the Department, to enhance its security posture. The conferees expect the Department to propose a corresponding spending plan of up to $15,000,000 to address such vulnerabilities from within the resources provided under this account.

Consular workspace improvement initiative.—The Department's consular mission is critical to our national security. Consular workspace must be adequately sized and outfitted in order to ensure that the processing of visas and visa applicants takes place in an organized and efficient manner. To ensure this, and to improve the overall working environment for Consular Affairs Officers, the conferees direct the Office of Overseas Buildings Operations [OBO] to undertake a 3–year Consular Workspace Improvement Initiative. The conferees are aware that, traditionally, OBO considers posts' facilities requirements in a holistic manner, and does not single out specific bureaus for workspace improvements. However, the conferees are also aware of the direct link between the quality of consular workspace and the efficiency and accuracy of consular work. There is a pressing need for additional consular windows and interview space, enlarged reception and waiting areas, office space, and document storage space. The Initiative should identify posts for consular workspace rehabilitation where errors in visa issuance present the greatest threat to our national security, as determined by OBO in consultation with the Bureau of Consular Affairs. The conferees expect construction to begin on priority projects no later than 60 days after the enactment of this Act. The Committee expects that up to $8,000,000 within the funds available under this account for facilities rehabilitation may be used for this initiative.

Marine Security Guard housing.—Marine Security Guards are essential to the Department's ability to carry out its mission overseas. In fiscal year 2002, the Department completed the final phase of a multi-year effort, undertaken at the insistence of the Committees, to address the long-neglected capital needs of many Marine Security

Guard [MSG] housing facilities worldwide. The conferees support the Department's new policy of incorporating MSG housing costs into the initial cost estimates, and thus the budget requests, for overseas construction or rehabilitation projects. The conferees note that MSG housing costs for fiscal year 2003 are embedded within the capital projects account.

Reprogramming Requirements.—The conferees agree that the reprogramming requirements that have been applied in prior years regarding programs under this heading shall continue to apply during fiscal year 2003.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

The conference agreement includes $6,500,000 to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service. This funding level anticipates that carryover balances from fiscal year 2002 will be available for obligation in fiscal year 2003. Funding provided in this account is available until expended.

The conference agreement includes a provision in the bill that permits up to $1,000,000 to be transferred from this account to the Repatriation Loans Program account. This provision will ensure an adequate level of resources for loans to American citizens through the Repatriation Loans Program account should that account require additional funds in fiscal year 2003 due to an unanticipated increase in the number of loans.

This appropriation provides resources for the Department of State to meet emergency requirements in the conduct of foreign affairs. The Committee recommendation provides funds for: (1) travel and subsistence expenses for relocation of American employees of the United States Government and their families from troubled areas to the United States and/or safe-haven posts; (2) allowances granted to State Department employees and their dependents evacuated to the United States for the convenience of the Government; and (3) payment of rewards for information concerning terrorist activities.

REPATRIATION LOANS PROGRAM ACCOUNT

The conference agreement includes $612,000 for the subsidy cost of repatriation loans and $607,000 for administrative costs of the program.

This account provides emergency loans to assist destitute Americans abroad who have no other source of funds to return to the United States.

In the past, less than 20 percent of repatriation loans have ever been repaid. The conferees endorse efforts by consular services to limit assistance only to victims of unforeseen circumstances or travelers whose mental instability presents a risk to themselves or others.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $18,450,000 for the ''Payment to the American Institute in Taiwan''. The conference agreement provides for the Institute's pay and inflationary base adjustments. In addition, the Institute is authorized to collect Machine Readable Visa fees, which are expected to generate an additional $14,000,000 in revenues in fiscal year 2003, as well as reimbursements from agencies and user fees from trade show exhibitors.

The conferees expect that the American Institute in Taiwan (AIT) will cover anticipated operating expenses in fiscal year 2003 through a combination of appropriations and visa fee revenues, and encourages the Institute to continue to pursue cost saving measures. The conferees expect the Department to submit by March 31, 2003, an AIT spending plan for fiscal year 2003, indicating the total amount of estimated fee collections, the amount of such fee collections allocated for operating expenses, and the total amount planned for operating expenses from all funding sources.

The Taiwan Relations Act requires that programs concerning Taiwan be carried out by the American Institute in Taiwan and authorizes funds to be appropriated to the Secretary of State to carry out the provisions of the Act. The Institute administers programs in the areas of economic and commercial services, cultural affairs, travel services, and logistics. The Department of State contracts with the American Institute in Taiwan to carry out these activities.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $138,200,000 for the appropriation entitled ''Payment to the Foreign Service Retirement and Disability Fund''. The amount provided in the Committee recommendation is required to amortize the unfunded liability in the system, as documented by the annual evaluation of Fund balances.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes a total of $866,000,000 for payment of the obligations of United States membership in international organizations as authorized by conventions, treaties, or specific Acts of Congress for fiscal year 2003.

The amount provided in the bill is intended to cover anticipated assessments for membership in international organizations, including the United Nations. In addition, the amount provides full funding for anticipated assessments for membership in the North Atlantic Treaty Organization and the related North Atlantic Assembly, International War Crimes Tribunals for Rwanda and the former Yugoslavia, the Organization of American States, and the Pan American Health Organization, among others.

The conference agreement is based on a upward adjustment of the fiscal year 2003 request based on exchange rate fluctuations, and also reflects the application of an estimated $46,739,000 in available balances from fiscal year 2002 that the Committee has directed the Department to apply to the fiscal year 2003 assessment for the United Nations regular budget.

Reassesment of U.S. Membership in International Organizations.—The conferees note, with approval, the Department's recent actions to formally withdraw from certain international organizations where continued U.S. participation was determined to be a low priority in the context of overall U.S. national interests. The conferees continue to support the comprehensive reassessment of U.S. membership in each of the 50 international organizations for which funding is requested under this account. The Department shall notify the Committees in advance of taking any action to join, or rejoin any international organization.

Reform and Budget Discipline.—The conferees continue to insist on reform and budget discipline as the highest priorities for all of the international organizations, including the development of processes to evaluate, prioritize and terminate programs. The conferees believe that the onus is on each international organization and the State Department representatives to those organizations to reduce overall budgets and eliminate duplicative activities, excessive administrative costs, and inefficient operations.

United Nations Regular Budget.—As indicated, the funding level assumes full payment of the U.S. assessment to the United Nations (UN) regular budget, as has been provided every year since fiscal year 1989. This assessment is estimated at $279,327,000 for calendar year 2002. In order to assure that the UN achieves the fiscal discipline that the Congress has insisted upon, the Committee strongly urges the Department to ensure that the UN takes no action to increase funding for any program without identifying an offsetting decrease elsewhere in the regular budget. Toward this end, the Committee expects the Department to insist on the prioritization of ongoing UN programs and activities, so that in the event of unanticipated requirements, budget offsets may be taken from activities and programs that have already been determined to be lower-priority by the organization.

The Committee expects the Department to certify to the Committee by March 1, 2003 that the UN has taken no action to exceed the approved 2002–2003 budget of $2.63 billion, which is an increase of $90 million from the previous biennium. Any proposal to exceed this budget level should be communicated to the Committee far in advance of the formal consideration and adoption of such a proposal. The Department shall also report to the Committees by April 30, 2003, describing any and all programmatic or administrative reductions adopted in the current UN biennial budget.

For nine of the international organizations funded under this account, including the United Nations regular budget, the payment of the United States assessment for a given calendar year is deferred until the subsequent fiscal year. As a result, United States assessment payments for membership in such organizations are not made until the fourth quarter of the calendar year. The conferees expect the Department to report to the Committees by September 30, 2003, on the significance of this practice with regard to the achievement of United States multilateral diplomacy goals and the financial operations of such international organizations. The report should include recommendations, as appropriate, for addressing any negative impacts. The report should also address any cost implications associated with such recommendations.

OECD.—The recommended funding level includes requested funding for future renovations to the Organization for Economic Cooperation and Development (OECD) headquarters building in Paris. The conferees remain concerned about the scope and cost of this project, and the need for the United States to assume the largest funding share for an undefined capital project in Paris with costs that could exceed $200,000,000. The Committees expect to review detailed plans, cost estimates, and potential financing methods through the reprogramming process before these funds are obligated for this project. Should the Department experience further exchange rate losses during fiscal year 2003, the Committees would entertain a reprogramming of this funding toward other comparatively higher-priority activities.

IAEA.—The conference agreement includes full funding for the adjusted request level for anticipated assessments for the International Atomic Energy Agency (IAEA). The conferees recognize the importance of the role played by the IAEA in efforts to enact stronger global measures to protect nuclear material and facilities against potential acts of terrorism.

PAHO.—The conferees continue to support the work done by the Pan American Health Organization (PAHO). PAHO has continued to take the lead in health issues, including border health concerns, emerging diseases and bio-terrorism that have an impact on citizens of the United States and all citizens

of the Americas. The conferees encourage the Department to continue to support PAHO's efforts.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes $673,710,000 for United States payments for Contributions for International Peacekeeping Activities for fiscal year 2003. The conference agreement provides for the full payment of anticipated fiscal year 2003 assessments for United Nations peacekeeping missions. The conferees are aware that prior year balances of $46,000,000, plus additional UN credits are available to offset the cost of fiscal year 2003 assessments.

The conferees are concerned about the continuing lack of demonstrable progress toward resolution of the Western Sahara dispute, despite an enormous investment of funds over the past decade in the UN's MINURSO peacekeeping mission. The conferees urge the Department to push for a negotiated settlement to the dispute, and to terminate the costly UN presence. MINURSO was established to oversee a referendum and settlement program that has failed to materialize over the past decade and which the Secretary General and his Personal Envoy have recognized as unworkable.

The establishment of several large, complex missions over the past few years has tested the capacity of the U.N. to plan and manage such operations successfully. The Brahimi report addressed many deficiencies in U.N. peacekeeping efforts, including problems in doctrine, strategy, decision-making, planning, deployment, support and information technology. The conferees support efforts to improve the performance and efficiency of U.N. peacekeeping missions through structural and procedural reforms. The conferees also support efforts to better limit and focus the goals of such missions, and to set specific benchmarks for performance and mission termination.

The conferees are concerned that clear, realistic benchmarks be established and enforced for the performance of the UN peacekeeping mission in the Democratic Republic of the Congo (MONUC). The conference agreement includes funding to cover anticipated fiscal year 2003 assessments for MONUC totaling $273,226,000. The conferees expect the department to consult with the Committees on Appropriations, and to submit the required notifications, prior to any increase or mandate change in this mission. Specifically, the conferees expect the Department to certify that the following conditions have been met with regard to this mission. First, firm benchmarks for what constitutes a successful mission must be determined, articulated, and followed. Second, the security of The Democratic Republic of the Congo's (DROC) neighbors must be factored in to all of MONUC's strategic and contingency planning, and must be heavily considered in the negotiation of a final political settlement. Third, the UN must construct an arrangement for the withdrawal of foreign forces from the DROC that, to the greatest degree possible, does not destabilize DROC's neighbors. Fourth, contingency plans must be developed and implemented for the safe withdrawal of peacekeepers in the event of a resumption of hostilities.

The conferees are encouraged by the significant progress made over the past year toward the establishment of peace in Sierra Leone. The conference agreement includes full funding for anticipated assessments for the UNAMSIL mission in Sierra Leone. In addition, the conferees strongly support the work of the Special Court for Sierra Leone to prosecute those who bear the greatest responsibility for serious violations of human rights and international law. The conferees expect the Department to consider ways it can support, and encourage international and private organizations to undertake new efforts to prevent, respond to, and document crimes, particularly crimes involving sexual violence, and violations in West Africa and the Congo.

The conferees continue to support the efforts of the UN's Office of Internal Oversight Services (OIOS) to identify waste, fraud and abuse with regard to peacekeeping operations, and to recommend specific reforms to ensure that such practices are brought to an end. The conferees expect the Department to provide the necessary support to ensure that the work of the OIOS is maintained and strengthened as it relates to oversight of peacekeeping operations.

The conference agreement also includes full funding for anticipated assessments for the UNMISET mission in East Timor. As East Timor begins to establish a criminal justice system, basic social services, and professional police and defense forces, the conferees support the continued presence and gradual drawdown of the UN peacekeeping force.

The conferees direct the Department to resume transmission of UN Security Council reports on peacekeeping missions to the Committees on Appropriations.

The conference agreement includes language carried in previous years requiring 15–day advance notice of any new or expanded mission, together with a statement of cost, duration, exit strategy, vital national interest, and source of funds to pay the cost. The conference agreement also retains language requiring certification that American manufacturers and suppliers are provided equal procurement opportunities, and language prohibiting the use of funds under this account for the costs of court monitoring.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The conference agreement includes a total of $30,932,000 for the International Boundary and Water Commission, United States and Mexico (IBWC). The total amount provided includes $25,482,000 for Salaries and Expenses and $5,450,000 for construction. The conference agreement includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The conference agreement for the Salaries and Expenses account includes $25,482,000. The Committee notes that fluctuations in the Commission's operations and maintenance budgets can result in unanticipated cost savings. Should the Commission experience such savings, the Commission may propose, through the section 605 reprogramming process, the use of surplus funds for items not included in the Committee recommendation.

CONSTRUCTION

The conference agreement for IBWC construction provides $5,450,000 for ongoing projects including: $2,500,000 for Boundary-wide construction and $2,950,000 for Rio Grande construction. The conferees note that the Rio Grande American Canal Extension project and the Colorado River project are both currently delayed by required, and extensive, environmental studies. No funding has been provided for those projects for fiscal year 2003. Reallocation of funding may be proposed to the Committees under the reprogramming procedures set forth in section 605 of this Act.

The conferees note that the IBWC has initiated formal negotiations with the Mexican Section of the IBWC concerning the provision of secondary treatment to Tijuana sewage in Mexico. The agreement that results from these negotiations will represent a significant long-term measure to address Tijuana sewage. The conferees are aware of concerns over the lack of progress in this regard, and strongly encourages the IBWC to forge a workable agreement to ensure secondary treatment of Tijuana sewage.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes a total of $9,472,000 to fund the U.S. share of expenses of the International Boundary Commission, the International Joint Commission, United States and Canada, and the Border Environment Cooperation Commission for fiscal year 2003. This amount includes $1,143,000 for the International Boundary Commission, $6,246,000 for the International Joint Commission and $2,083,000 for the Border Environment Cooperation Commission. The funding level for the International Joint Commission includes $2,294,000 for the third year costs of a five-year study of the water regulation plan governing Lake Ontario and the St. Lawrence River.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes $17,100,000 to fund the U.S. share of the expenses of international fisheries commissions or related organizations, as well as the travel expenses of the United States commissioners.

The conference agreement includes $2,100,000 for the Inter-American Tropical Tuna Commission, $12,248,000 for the Great Lakes Fishery Commission, $2,100,000 for the International Pacific Halibut Commission, $90,000 for the International Whaling Commission, $121,000 for the International Commission for the Conservation of Atlantic Tunas, $70,000 for the Commission for the Conservation of Antarctic Marine Living Resources, $150,000 for the Inter-American Sea Turtle Convention Commission, and $100,000 for Expenses of the U.S. Commissioners. The balance of funds in this account may be allocated, on a priority basis, to other international fisheries commissions.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $10,444,000 for payment to the Asia Foundation for fiscal year 2003. The conference agreement includes funding for enhanced Foundation programs on human rights, higher education, democratic governance, ethnic harmony, religious tolerance and legal/judicial reform in Nepal, Indonesia, Afghanistan, and Pakistan. The Committee expects the Foundation to provide a program and spending plan for these special initiatives to the Committee by June 30, 2003.

The conferees support the Foundation's efforts to reestablish its program and presence in Afghanistan. The conferees encourage the Foundation to use its expertise in developing programs to encourage women's political participation in Central Asia, and specifically Afghanistan.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement includes an appropriation for fiscal year 2003 of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000. The conferees recognize the important and unique role of the Eisenhower Exchange Fellowships in the U.S. Government's worldwide public diplomacy effort. The conferees therefore expect that Eisenhower Exchange Fellowships, Incorporated, (EEF) will fashion its exchange programs for fiscal year 2003 to reflect the priority within

all public diplomacy programs of building mutual understanding with Arab and Muslim populations worldwide. In this regard, the conferees expect that the selection of foreign and United States fellows will reflect this priority. In addition, the conferees support a nation-wide, merit-based recruitment and selection process for United States Fellows.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes language that will appropriate for fiscal year 2003 interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000.

EAST-WEST CENTER

The conference agreement includes $18,000,000 for the costs of maintaining and operating the East-West Center. Of the amount provided, up to $2,500,000 is intended for one-time costs associated with improvements to Center facilities.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $42,000,000 for the National Endowment for Democracy (NED) for fiscal year 2003. The conferees expect that funding provided will allow NED to provide additional targeted grants to indigenous groups to build and strengthen democratic institutions in the Muslim world. The conference agreement also continues funding for grants to foster Africa's dynamic democracy movements, including groups in Sudan and the Democratic Republic of Congo. Within funds provided under this account the conferees expect the Endowment to increase democratization programs with Romania.

The conferees reaffirm the role that NED plays in strengthening democratic institutions around the world. Any perception that funds are used to directly support a particular party or candidate, or to support the removal of elected leaders through unconstitutional means, undermines the credibility and effectiveness of NED programs. The Committee expects NED to take all necessary measures to continue to ensure that all sponsored activities adhere to the core NED principles.

In order to be successful in its global fight against terrorism, the U.S. must develop a long-term response that addresses the root causes of terrorism. This response must include support to developing countries in the Middle East, Africa, South and Central Asia, and other regions where terrorism has flourished over the last decade. NED has an established network of organizations and professionals in these regions that work to promote democracy in ways that are consistent with Islamic tradition. These existing networks can be used to further the U.S.'s broader objectives in the war on terror. The conference agreement includes $6,000,000 above the request for programs that encourage the development of ties with modernist Muslim groups, foster pro-democracy networks, support independent journalism, and assist women's business organizations. The distribution of these additional funds should be guided by the following four goals: (1) ending repression, permitting freedom of expression, and introducing genuine political parties; (2) modernizing economies and, as a consequence, reducing poverty and inequality; (3) controlling corruption and establishing a genuine rule of law; and (4) ending the political abuse of religion and reconciling Islam with modern concepts of citizenship and individual rights. The Conferees expect that this funding increase will be distributed throughout NED's four core institutes in the same manner as NED's core budget.

The conference agreement includes up to $1,000,000 above current funding levels to expand a women's rights and democracy training program for Lebanon's female Shiite educators, students, and mothers. The conference agreement also includes up to $2,000,000 above current funding levels for NED to establish a program for women's rights in Afghanistan. Within available funds, the NED should increase its support for independent women's cultural and human rights organizations in the Democratic Republic of Congo, Sierra Leone, Sudan, and Nigeria and for enhanced programs in The People's Republic of China, including Tibet, Burma, and North Korea.

The conferees expect the NED to submit to the Committees on Appropriations a financial plan for the entire amount made available under this heading prior to obligation.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $468,898,000 to carry out United States International Broadcasting Operations for fiscal year 2003. This account funds the operating and engineering costs of Voice of America [VOA], Radio Free Europe/Radio Liberty [RFE/RL], Radio Free Asia [RFA], Worldnet Television/VOA–TV, and the Broadcasting Board of Governors [BBG]. The conference agreement provides all requested adjustments to base for all entities funded under this account and full requested funding to continue the Middle East Radio Network (Radio Sawa) initiative.

Of the funds made available under this heading, $965,000 is recommended for the Office of the General Counsel.

Arabic Television.—The United States continues to face an enormous challenge to provide the people of Arab and Muslim countries with accurate information about our policies and values. The conferees support the Board's efforts to expand its ability to reach audiences in the Middle East. The conference agreement includes up to $2,500,000 for the development of an Arabic language television initiative in the Middle East. In addition, the conferees are aware of prior-year recoveries in the Broadcasting Capital Improvements account that may be used for the development of an Arabic television initiative. Developing quality and attractive news and entertainment Arabic language programs should to the maximum extent possible involve the creative talents of the private and not-for-profit sectors. The conferees urge the Board to integrate new approaches, such as using private and not-for-profit content providers of Arabic broadcast programming, to more effectively engage key audiences.

Reprogramming of Exchange Rate Gains/Other Savings—As in past years, the conferees expect that there will be additional savings available to the Board, including exchange rate gains and vacancies in funded positions. The conferees note that the Board will have the ability to propose that savings be used for additional requirements related to the Arabic broadcasting initiative, broadcasting to China and North Korea, and other emerging priority programs through the normal reprogramming process.

Language Service Review and Research—The conferees continue to support the Board's efforts to objectively and systematically review and evaluate the performance, results, and importance of every U.S. Government-sponsored international broadcasting language service and to propose corresponding reallocations of funds. The conferees endorse this process as a means to improve broadcast quality and meet emerging program priorities within limited resources. The conferees commend the Board for taking steps to consolidate and strengthen the research function by establishing the Office of Performance Review. The conferees expect that the Board will be able to establish comprehensive performance measures and improve coordination of programming streams across component organizations, including the grantee organizations. The conferees support the continuation and expansion of this effort in fiscal year 2003. The conference agreement assumes total funding of at least $5,000,000 for the Research function in fiscal year 2003. The conferees strongly urge the Board to ensure that foreign policy implications are given full consideration before adopting language service review recommendations. The conferees direct the Board to submit a comprehensive report on Language Service Review results and corresponding reallocations of funds. The conferees expect that the continuing language service review effort may result in the dedication of additional resources to emerging priority programs, through the normal reprogramming process.

Africa Broadcasting.—The problem of AIDS in Africa is ubiquitous. Radio broadcasting is an underutilized tool in the fight against the African AIDS epidemic. Its accessibility to even the most impoverished communities makes it an ideal way to transmit information about the disease. Radio broadcasts could be a major component of sustained prevention efforts undertaken by the governments of many African countries, humanitarian organizations, and U.S. assistance programs. The recommendation includes up to $10,000,000 for Voice of America's Africa Division for broadcasting to Africa. The conferees direct VOA to incorporate AIDS education into its regular programming. VOA is directed to report to the Committees on Appropriations on its progress no later than 90 days after enactment of this Act.

Security of RFE/RL headquarters.—The conferees are aware that RFE/RL and the government of the Czech Republic have jointly developed a preliminary plan to relocate RFE/RL headquarters from St. Wenceslas Square in Prague, the Czech Republic, to a new and safer location. The BBG must consult with the Committees on Appropriations on all decisions concerning a future capital project as they relate to security. RFE/RL is directed to report to the Committees on Appropriations on all aspects of the relocation currently being considered. The report should explain whether it would be desirable, from both a security and from an economic perspective, to move RFE/RL headquarters to a location outside of the Czech Republic. The BBG is encouraged to consider Turkey as a possible host nation for the new RFE/RL headquarters.

Security of worldwide broadcasting facilities.—In the post-September 11 environment, the broadcasting services no longer have the luxury of ignoring the security of their personnel and facilities. The Broadcasting Board of Governors is therefore directed to develop, in consultation with the Department of State and other relevant U.S. agencies, a 5–year capital worldwide security plan. The plan shall be transmitted to the Committees on Appropriations no later than July 1, 2003.

The conferees remain concerned that adequate transmission capacity be available to support broadcasting to Iran and Iraq. The conferees understand the Board is in the process of identifying additional transmission capacity in the region to support Radio Free Iraq and its new Radio Farda initiative. The conferees direct the Board to consult with the Committees on Appropriations as new transmission opportunities are identified that will provide strong broadcast signals for all relevant language services to Iran and Iraq.

Anti-jamming efforts.—The conferees continue to support initiatives by the BBG to

defeat jamming and reach a wider audience for Radio Free Asia and Voice of America broadcasts to China, Tibet, Vietnam, and North Korea. The conferees are aware that new technologies may allow the VOA and RFA to more effectively defeat jamming efforts. The conferees encourage the Board to evaluate the usefulness of these technologies and will entertain proposals to reprogram additional funds for anti-jamming technologies.

The conference agreement provides funding for the principal broadcasting entities as follows:

Voice of America.—The conference agreement provides $154,307,000 for VOA. The conference agreement provides for adjustments to base and requested funding to continue surge broadcasting in Dari, Pashto, Urdu, Farsi, Arabic, Uzbek, and Turkish. The conferees expect the Board to complete the merger of Worldnet and VOA–TV resources. The conferees understand that the BBG is in the process of determining final organizational changes to complete this merger and direct the Board to submit these proposed changes to the Committees on Appropriations in accordance with Section 605 of this Act.

Radio Free Europe/Radio Liberty.—The conference agreement provides the full requested amount of $73,086,000 for RFE/RL, including the requested amounts for broadcasting to Iran and Iraq. The conference agreements provides for adjustments to base, including $2,423,000 to continue surge programming in Persian, Tajik, Uzbek, Turkmen, Arabic, Kazakh, Kyrgyz, and Azeri.

The conferees commend RFE/RL for developing programming in Avar, Chechen, and Circassian, and for expanding broadcasting to the Northern Caucasus. The conferees recognize the continuing importance of reaching the isolated minorities of the Northern Caucasus in their native languages. The Chechen crisis is ongoing and there is still a great need in this region for objective, uncensored information. Within the funding provided for RFE/RL, $850,000 is for the North Caucasus Unit.

Radio Free Asia.—The conference agreement provides the full requested amount of $27,084,000 for RFA. This amount includes $1,684,000 for adjustments to base, and will allow RFA to continue its expanded schedule of broadcasting to China, Tibet, Burma, Vietnam, North Korea, Laos, and Cambodia.

The conference agreement includes full funding for RFA to continue daily Uyghur broadcasts. Radio Free Asia's Uyghur broadcasts are proving successful in northwest China in spite of top-level officials' efforts to erect a steel wall against ''hostile radio stations from abroad''.

The conferees are supportive of efforts to increase the number of broadcast hours of both the VOA Korean and the RFA Korea services. Within the funding made available for RFA, up to $1,500,000 is for the Korea Service.

The BBG is directed to submit to the Committees on Appropriations, no later than sixty days from the date of enactment of this Act, a financial plan including a distribution of the total resources available under this account.

BROADCASTING TO CUBA

The conference agreement includes $24,996,000, to remain available until expended, for Broadcasting to Cuba under a separate account.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $12,740,000 in new budget authority for broadcasting capital improvements. This amount will provide for the continuation of base costs for maintenance, improvements, replacements and repairs, digital production capability development, and security upgrades at transmitting stations overseas.

The Board shall continue to keep the Committees on Appropriations informed on the status of its efforts to acquire additional transmission capabilities in the Middle East. The Board shall also continue to keep the Committees on Appropriations informed regarding costs and results of the ongoing digital conversion project.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The conference agreement includes section 401, permitting the use of funds for allowances, differentials and transportation.

The conference agreement includes section 402 dealing with transfer authority.

The conference agreement includes section 403 prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors to provide certain assistance to the Palestinian Broadcasting Corporation.

The conference agreement includes section 404 regarding the recording of place of birth on certain passport applications.

The conference agreement includes section 405 regarding a certain land transfer.

The conference agreement includes section 406 regarding coordination of programs to combat trafficking in persons. The conferees have included additional guidance regarding these programs under the ''Diplomatic and Consular Programs'' heading in this Statement of Managers.

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

The conference agreement includes $98,700,000 for the Maritime Security Program as proposed in both the House and Senate.

OPERATIONS AND TRAINING

The conference agreement includes $92,696,000 for the Maritime Administration Operations and Training account. Within the amounts provided, $13,000,000 is for the U.S. Merchant Marine Academy construction and maintenance.

SHIP DISPOSAL

The conference agreement includes $11,161,000 for the disposal of obsolete vessels the National Defense Reserve Fleet of the Maritime Administration. This program should ensure the expeditious implementation of a pilot program for export and disposal of obsolete vessels during fiscal year 2003. Priority should be given to the most hazardous vessels, including those in the James River. The conferees expect the MARAD to report back to the Committees on Appropriations on the vessels designated for disposal; the comparative condition of the vessels; the proposed method of disposal, including reefing; and the projected cost for disposal of each vessel. The conferees urge MARAD to work with the Environmental Protection Agency to design an environmentally sound disposal program.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

The conferees include $4,126,000 for the administrative expenses related to this program.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

The conference agreement includes provisions involving Government property controlled by MARAD, the accounting for certain funds received by MARAD, and a prohibition on obligations from the MARAD construction account.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement includes $499,000 for the expenses of the Commission for the Preservation of America's Heritage Abroad. The conference agreement will allow the Commission to fund its administrative expenses through appropriated funds while relying on privately donated funds for the actual purchase and restoration of property and other project implementation purposes. The conferees encourage current efforts to attract private funding to support the work of the Commission.

Revolutionary War heroes—The conferees support implementation of phase II of the foreign born revolutionary war heroes project to the extent that private funding is available for this purpose.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes $9,096,000 for the salaries and expenses of the Commission on Civil Rights for fiscal year 2003. The Commission investigates charges of citizens being deprived of voting rights, and collects, studies and disseminates information on the impact of Federal laws and policies on civil rights. The Commission was established by the Civil Rights Act of 1957 and is directed by eight part-time commissioners. The Commission was created to protect the civil rights of people within the U.S. and was intended to be an independent, bipartisan, fact-finding agency. The conferees are concerned about the present state of affairs at the Commission, and the Commission's apparent inability to fulfill its mission. The conferees note that recent Commission meetings have been held without a quorum of 5 Commissioners. The conferees are surprised by the Commission's decision to incur additional expense to hold monthly meetings in cities other than Washington, D.C. The Commission has stated in its budget request and in briefings with Committees on Appropriations staff that it may be unable to meet basic operational requirements such as payroll processing and rent increases in fiscal year 2003 at the budget level in the President's request. The conferees expect the Commission to meet its requirements in fiscal year 2003 through savings realized in salary expenses and other operational costs, including travel and other costs related to Commission meetings. The conferees direct the Commission to submit, within 60 days after the enactment of this Act, a spending plan for the costs of conducting all Commission meetings in fiscal year 2003, making note of any meeting the Commission plans to hold in a city other than Washington, D.C. This spending plan shall be submitted to the Committees on Appropriations pursuant to section 605 of this Act.

The conference agreement includes language as included in previous years, which provides (1) $50,000 to employ consultants; (2) a prohibition against reimbursing commissioners for more than 75 billable days, with the exception of the chairwoman, who is permitted 125 billable days; and (3) a limitation of four full-time positions under schedule C of the Excepted Service, exclusive of one special assistant for each commissioner.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement includes $2,884,000 for the Commission on International Religious Freedom, the amount identified by the Commission as necessary to carry out all requested activities for fiscal year 2003.

The conferees note that the Commission held only three public hearings in fiscal year

2002. As an authoritative and unique resource on religious freedom issues, the conferees expect the Commission to be more active in fiscal year 2003 in holding hearings, seminars, and other events involving public audiences. This may include holding Commission hearings and events in locations around the United States.

COMMISSION ON OCEAN POLICY

SALARIES AND EXPENSES

The conference agreement includes $2,000,000 for necessary expenses of the Commission of Ocean Policy, to remain available until expended.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes $1,582,000 for the Commission on Security and Cooperation in Europe, the amount identified by the Commission as necessary to carry out all requested Commission activities for fiscal year 2003.

CONGRESSIONAL—EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement includes $1,380,000 for the Congressional-Executive Commission on the People's Republic of China, an increase of $380,000 above the amount provided in fiscal year 2002. Within this amount, the conference agreement includes $3,000 to be available for the purposes of official representation, upon the joint certification of the Chairman and Co-Chairman.

Victims Lists Database—Of the total amounts available in fiscal year 2003, including fiscal year 2002 carryover of $621,813, the conferees expect that $500,000 will be used by the Commission to develop, populate, and operate a database of information on political and religious prisoners in China, pursuant to section 302(b) of Public Law 106–286. The conferees believe that a comprehensive and accessible database of prisoners of conscience in China can be a powerful tool for Members of Congress, the Administration, NGOs, scholars, and the public to monitor and call attention to human rights abuses in the People's Republic of China, including specific cases.

The conferees encourage the Commission to continue building a staff composed of personnel with comprehensive experience in the field of human rights, the core component of the Commission's work. Within the amounts appropriated under this heading, the conferees expect the Commission to strengthen staff expertise in this area to better serve as an authoritative voice on human rights and human rights-related rule of law issues in China. The conferees urge that the Commission model itself on the Helsinki Commission, which has served as a visible and effective advocate for democratic and human rights development in OSCE member countries since 1976.

The Congressional-Executive Commission on the People's Republic of China was authorized as part of the United States-China Relations Act of 2000 that established permanent normal trade relations with China. The Commission monitors the acts of the People's Republic of China that reflect compliance with or violation of international human rights standards and monitors the development of the rule of law, including the development of democratic institutions, reform of legal procedures, transparency of the legal system, and the establishment of an independent judiciary.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $308,822,000 for the salaries and expenses of the Equal Employment Opportunity Commission (EEOC) for fiscal year 2003.

The conferees note with concern the apparent lack of sound managerial and fiscal practices that have resulted in the Commission's projected shortfall in fiscal year 2003. The conferees expect the Commission to meet its requirements in fiscal year 2003 through savings realized in salary expenses and other operational costs.

The EEOC is directed to submit to the Committees on Appropriations, no later than sixty days from the enactment of this Act, a financial plan, including steps the Commission intends to take to control costs and stay within its fiscal year 2003 appropriation level.

The conference agreement includes language similar to that included in previous Appropriations Acts allowing not to exceed $33,000,000 for payments to State and local FEPAs. This level of funding will allow the Commission to ensure that State and local FEPAs receive a contract rate of $500 per charge. The conferees again encourage the EEOC to use the experience the FEPAs have in mediation, as the Commission expands its ADR programs.

The conference agreement also includes language similar to that included in previous Appropriations Acts allowing non-monetary awards to private citizens, and up to $2,500 for official reception and representation expenses.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes a total budget authority of $271,000,000 for the salaries and expenses of the Federal Communications Commission (FCC) for fiscal year 2003, of which $269,000,000 is to be derived from offsetting collections, resulting in a direct appropriation of $2,000,000.

The conferees note with concern the apparent lack of sound managerial and fiscal practices that have resulted in the FCC exceeding its authorized full-time equivalent (FTE) level and the consequent budget shortfall projected in fiscal year 2003. The conferees direct the FCC to consult with the Committees on Appropriations on the Commission's plan to control costs and remain within its fiscal year 2003 appropriation and FTE levels.

The conferees are concerned about the declining standards of broadcast television and the impact this decline is having on America's children. An analysis of all prime-time programming has found that overall sexual content, foul language and violence have tripled over the past decade. In December 1999, the FCC issued a notice of inquiry regarding the public interest obligations of broadcasters during and after the transition to digital transmission. The conferees direct the Commission to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct of programming, that if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards.

The conferees continue to emphasize the importance of the FCC's commitment to the availability of high quality communications. In addition to technical quality, the conferees hope the Commission will continue to take steps toward carrying out its responsibilities under Title 18 of the United States Code, Section 1464. The conferees commend recent FCC efforts to take a more aggressive stance in curbing an assault of obscene matter over the airwaves while remaining cognizant of the Constitutional rights of our citizens.

In addition, the conferees laud the recent FCC enforcement actions against telephone companies operating ''fat finger'' dialing scams. The conferees encourage the FCC to continue working to make consumers aware of these scams and to take appropriate actions against companies operating them.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $16,700,000 for the salaries and expenses of the Federal Maritime Commission (FMC) for fiscal year 2003. The conferees expect that any pay and inflationary increases shall be absorbed through hiring below attrition and other cost-cutting measures.

The Federal Maritime Commission is directed to provide a report to the Committees on Appropriation no later than June 1, 2003, on the Far Eastern Shipping Company's (FESCO) participation in the Grand Alliance Agreement in providing service in the United States-Russian Far East trade. Specifically, the FMC should report to the Committees on Appropriation whether or not FESCO should be reclassified as a controlled carrier.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $176,608,000 for the Federal Trade Commission (FTC), instead of $174,508,000 as proposed by the House and $175,148,000 as proposed by the Senate.

The conference agreement provides a $2,100,000 increase, as requested, to address the physical security needs of the Commission's headquarters building. The Conferees direct the Commission to coordinate its physical security enhancements with GSA to ensure that these upgrades are consistent with other security upgrades being implemented throughout Washington, D.C.

The Conferees direct the Commission to study the impact on underage consumers of the significant expansion of new ads for liquor-branded ''alcopops'' and report the Commission's finding to the Committee within six months of enactment of this Act. The Conferees are also concerned that the alcoholic-beverage industry has not implemented all of the recommendations of the 1999 Commission report, ''Self Regulation and the Alcohol Industry,'' and that only one industry member has taken action to provide for independent review of complaints about its advertising. The Conferees urge the Commission to encourage the industry to adopt stricter advertising placement standards as well as establish an independent third-party review mechanism to limit the appeal and exposure of alcohol advertising to underage consumers and report back to the Committees on Appropriations no later than six months from enactment of this bill on the status of the implementation of these recommendations and whether further rulemaking by the Commission is required.

The Conferees are aware of steps the Commission is taking to address consumer issues of particular concern to Hispanic Americans, including the hiring of bilingual outreach and legal staff, as well as the increased monitoring of Spanish-language advertisements, enforcement actions and education initiatives. The Conferees commend the Commission for its efforts to respond to the concerns of Hispanic Americans and encourages the Commission to continue its efforts to render effective consumer assistance.

The recommendation retains requested bill language prohibiting the use of funds to implement section 151 of the Federal Deposit Insurance Corporation Improvements Act of 1991 (FDICIA). The Conferees are concerned that the consumer protection intent of this law may be going largely unenforced. Further, the Conferees recognize that the Commission, who is assigned enforcement responsibility under section 151, may not be the appropriate Federal agency to regulate non-

federally insured depository institutions. The Conferees direct the General Accounting Office to study enforcement of this provision, evaluate the risk to consumers if this provision is not enforced, and make recommendations on which Federal agency could most effectively enforce this provision. The Conferees expect this report to be submitted 180 days after enactment of this Act.

The Conferees are concerned that consumers are not adequately protected against telephone companies operating ''fat finger'' scams. The Conferees direct the Commission to work with the Federal Communications Commission to make consumers aware of these scams and take appropriate actions against companies operating them.

The Commission released a report two years ago that was very critical of the entertainment industry and their persistent and calculated marketing of violent games, movies, and music to children. In response to this report the entertainment industry has promised to place tougher regulations on itself and voluntarily comply with the report's recommendations. The Conferees believe that the FTC should continue and expand its efforts in this area and directs the Commission to continue to engage in consumer research and workshops, underage shopper-retail compliance surveys, and marketing data collection.

The Commission is charged with monitoring compliance with the Children's Online Privacy Protection Act. The conference agreement ensures the agency is adequately prepared to meet the challenges of increased fraud on the Internet and the agency's recognition that Internet fraud is an international phenomenon since the Internet has no borders.

The conference agreement includes additional funding and authority to collect offsetting fees for the Commission's Do-Not-Call initiative under its Telemarketing Sales Rule. The Do-Not-Call initiative will establish a national database of telephone numbers of consumers who choose not to receive telephone solicitations from telemarketers. The Conferees understand that the Commission has adopted, prior to enactment of this legislation, the Do-Not-Call initiative as an amendment to its Telemarketing Sales Rule. The Conferees further understand that the Commission has developed a spending plan for the Do-Not-Call initiative. The Conferees recognize that these additional funds and fee collection authority are needed to implement the Do-Not-Call initiative, which has received broad support from, and will provide significant benefits to, consumers throughout the United States.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $338,848,000 for the payment to the Legal Services Corporation. The Legal Services Corporation will provide $9,500,000 in one-time grants equitably distributed among those service areas that will receive less funding in FY 2003 than they did in FY 2002 because of census-based reallocations.

ADMINISTRATIVE PROVISION

The conference agreement includes language to continue the terms and conditions included under this section in previous Appropriations Acts, except that section 501(a)(1) of Public Law 104–134 shall not apply to the use of $9,500,000.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $3,050,000 for the necessary expense of the Marine Mammal Commission. Of the amounts provided, up to $1,000,000 is available to fund an international conference, or series of conferences, to share findings, survey acoustic ''threats'' to marine mammals and develop means of reducing those threats while maintaining the oceans as a global highway of international commerce.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The conference agreement includes $2,000,000 for the National Veterans Business Development Corporation. The conferees note that the Corporation's authorizing legislation mandates that it institute a plan to raise private funds and become a self-sustaining corporation. The conferees encourage efforts by the Corporation to meet this goal.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $716,350,000 for the Securities and Exchange Commission, instead of $776,000,0000 as provided by the House and $656,700,000 as provided by the Senate. In addition, $29,439,000 in unobligated prior year balances previously appropriated is available to the Commission for a fiscal year 2003 operating level of $745,789,000.

The conference agreement supports the continuation of pay parity for the SEC's staff, adds additional staff, and provides the funds necessary to improve the agency's monitoring systems. The conferees expect the SEC to provide quarterly reports to the Committees on Appropriations on the status of the implementation of these funds and the measures it is taking to restore the public's confidence in the financial markets.

The conferees understand the Commission plans on receiving 700 new staff and that the majority of these new staff would be allocated to the Divisions of Enforcement and Corporation Finance and the agency's inspection and examination program. The conferees require a spending plan be provided and approved.

The inability of Commission staff to conduct data-intensive analyses and examinations has hampered the Commission's investigative and enforcement efforts. In particular, the Commission has continued to struggle with the massive inflows of paper documents received in the course of its investigations. For this reason, the Committee recommendation includes an increase of not less than $47,200,000 for information technology. This funding increase will allow for the development of a pilot document management system and the deployment of substantially more robust analytical tools for SEC examination staff. This increase also will allow the Commission to undertake a requirements analysis to determine how best to improve its corporate disclosure review activities so that investors are provided with enhanced protections and assurances of the validity of corporate financial disclosures.

The recommendation funds the necessary costs of additional security measures now required at the Commission's new headquarters building as a result of the September 11 attack and continuing threats to Federal facilities.

Exercise of options—The Conferees continue to be concerned that corporate insiders are enriching themselves at the expense of the commercial enterprises and stockholders for whom they work by exercising stock options immediately prior to companies' financial collapse. In fact, exercising stock options at times may actually contribute to the bankruptcy of teetering corporations. Therefore, the Conferees recommend that the SEC provide monthly updates regarding the exercise of stock options by corporate officers and directors both electronically to the Senate Appropriations Committee as well as publicly on the Commission's Electronic, Data Gathering, Analysis, and Retrieval system (EDGAR). Specifically, the information shall include every corporate officer or director whose exercise of options under section 12 of the Securities and Exchange Act exceeds $100,000 during each 30 day reporting period. The Committee recognizes the SEC's effort to begin making these disclosures available electronically in fiscal 2003 and expects the Commission to keep the Committee apprized of its progress in this regard.

The conference agreement includes bill language, similar to that included in previous appropriations acts, which: (1) allows for the rental of space; (2) makes up to $3,000 available for official reception and representation expenses; (3) makes up to $10,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to $100,000 available for governmental and regulatory officials.

SMALL BUSINESS ADMINISTRATION

The conference agreement provides a total of $736,459,000 for the four appropriations accounts of the Small Business Administration (SBA). Detailed guidance for the four SBA appropriation accounts is contained in the following paragraphs.

SALARIES AND EXPENSES

The conference agreement includes $314,457,000 for the salaries and expenses account of the SBA. Of the amount provided under this heading, $176,882,000 is for operating expenses of the SBA. In addition, a total of $138,854,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of $129,000,000 from the Business Loans Program account and $9,854,000 from the Disaster Loans Program account for the administrative expenses related to those accounts. The conferees also anticipate that the SBA will have an additional $3,000,000 in fee receipts available for operating expenses. This will result in a total availability of $318,736,000 for the operating expenses of the SBA, an increase of $15,400,000 above the comparable fiscal year 2002 amount.

In addition, the conference agreement includes language under the Disaster Loans Program account providing that $108,000,000 of the amount provided for administrative expenses may be transferred to and merged with the salaries and expenses account for the direct administrative costs of disaster loan making and servicing.

The conference agreement includes requested language authorizing $3,500 for official reception and representation expenses, as well as language authorizing the SBA to charge fees to cover the cost of publications and certain loan servicing activities. The language also permits revenues received from all such activities to be credited to the salaries and expenses account to be available for carrying out these purposes without further appropriations. The conference agreement includes the full amount requested for Low Documentation Processing Centers.

The conferees support efforts by the SBA to examine and implement organizational changes, both in Washington, DC and in the field, that result in greater operational efficiencies, cost savings, and improved delivery of SBA services to small businesses nationwide and look forward to the submission of subsequent detailed workforce transformation plans.

The conference agreement does not include requested language allowing the SBA to retain up to $3,000,000 of increased collections of delinquent debt for qualified expenses.

Systems Modernization—The conferees note that $32,000,000 has been appropriated for systems modernization at the SBA over the past four years, including funding for the loan monitoring system (LMS) and the joint accounting and administrative management system project (JAAMS). The conferees remain concerned about the lack of progress by the SBA in delivering tangible and timely systems improvements. The conferees expect that the SBA will use remaining balances obligated to FEDSIM in prior fiscal years for priority systems projects, including core LMS acquisitions, implementation of phase II of JAAMS, or effective alternatives that bring about meaningful systems improvements. Systems modernization expenditures during fiscal year 2003 from funds provided in previous fiscal years shall be subject to the submission of project spending plans through the reprogramming process in accordance with section 605 of this Act.

Non-Credit Programs—The conference agreement includes the following for the non-credit programs of the SBA:

Regulatory Fairness Boards/National Ombudsman	500,000
Advocacy Research	1,100,000
Veterans Programs	750,000
BusinessLINC	2,000,000
7(j) Technical Assistance Programs	1,500,000
Small Business Development Centers	89,000,000
SCORE	5,000,000
Women's Business Centers	12,500,000
Women's Business Council	750,000
Native American Outreach	2,000,000
Drug-free Workplace Program	2,000,000
Business Information Centers	475,000
Microloan Technical Assistance	15,000,000
PRIME Technical Assistance	5,000,000
Total, non-credit initiatives	137,575,000

Funding for any non-credit program not listed above shall be subject to the availability of funds and will be considered by the Committee on Appropriations in accordance with the section 605 of this Act.

Of the amounts provided for the Small Business Development Center (SBDC) program, $2,000,000 is to continue the SBDC defense transition program and $1,000,000 is for a regulatory compliance simplification program to increase coordination of environmental, Occupational Health and Safety Administration and Internal Revenue Service compliance requirements and to avoid duplication among programs for compliance assistance to small businesses. The conferees believe that the Small Business Development Centers provide useful services to small businesses nationwide. Federal funding constitutes the seed funding for this program, which is leveraged by State, local and private funds.

The conferees expect that within the overall amount provided under this account, full funding will be provided for the operations of the Office of Advocacy, to include $1,100,000 for Advocacy Research. The conferees direct the Office of Advocacy to document and report to the Committees on Appropriations by September 30, 2003 the number of small businesses owned by people with disabilities served by SBA credit and non-credit programs.

The conference agreement includes $2,000,000 to continue funding for a drug-free workplace demonstration program to provide technical assistance to small business concerns seeking to start a drug-free workplace program.

The conference agreement includes $1,500,000 for SBA's 7(j) Technical Assistance programs. Within this amount, funding is provided to continue executive education programs and programs to help small businesses adapt to a paperless procurement environment. Funding is also provided to continue minority enterprise development week activities. The conferees expect that the remaining balance of 7(j) funds will be awarded through the grants solicitation process.

The conference agreement includes $2,000,000 for a Native American initiative. The conferees expect that this initiative will assist small business and economic development only in the most disadvantaged tribal areas. The conferees realize that not all Native American tribes, particularly those in remote areas experiencing severe economic hardship, may be aware of this and other SBA programs. The conferees expect the SBA to develop a strong outreach capacity with this initiative to ensure that underserved Native American tribes have the opportunity to participate in this program and other SBA non-credit and loan programs. The conferees direct the SBA to submit a spending plan for this initiative by April 30, 2003, through the regular reprogramming process.

Finally, the conferees direct the SBA to submit a report to the Committees on Appropriations no later than March 31, 2003 listing all personnel reassignments and lateral personnel actions executed at the GS–15 and senior executive service career civil service levels, over the past three fiscal years.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $12,422,000 for the Office of Inspector General of the Small Business Administration. The conference agreement assumes that, as in fiscal year 2002, the appropriation under this heading will be supplemented by an additional $500,000, which may be transferred to this account, from the administrative expenses of the Disaster Loans Program account for oversight costs related to that program. The conference agreement includes resources for continued oversight of SBA's business loan portfolio and SBA's administration of the 7(a) and disaster loan programs and non-credit programs. The conferees expect the office to report on its progress in reviewing and auditing the agency's financial management systems.

BUSINESS LOANS PROGRAM ACCOUNT

The conference agreement includes $218,086,000 under this account, consisting of: $85,360,000 for the Business Loans Program account for subsidies for guaranteed business loans; $3,726,000 for subsidies for direct business loans; and $129,000,000 for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans. In addition, the conference agreement includes a provision, also carried in previous years, which allows up to $45,000,000 to remain available for two fiscal years.

7(a) Business Loan Program—The SBA 7(a) Business Loan Program serves as an important source of capital for America's small businesses. Each year, 40,000 or more small business concerns, who cannot obtain comparable credit elsewhere, turn to the 7(a) program for critical financing. The conferees have been concerned throughout the fiscal year 2003 budget process that the requested amount of $85,360,000 for 7(a) budget authority would not provide for a credible business loan program level for fiscal year 2003, absent a correction to the SBA's subsidy rate calculation. Further, the conferees note that schemes put forth by the SBA in the budget request to offset the shortfall in the 7(a) Business Loan program never materialized, including high carryover balance estimates. As a result, the SBA has depended on solutions predicated on the enactment of separate authorization and appropriation measures to achieve an adequate program level. In 2001, the GAO estimated that on a cumulative basis since 1992, the SBA overestimated the cost of the 7(a) program by approximately $958 million using inflated subsidy rate calculations, similar to those used for fiscal year 2003. The conferees understand that during fiscal year 2002, the SBA and the Office of Management and Budget developed a new econometric model to address flaws in the subsidy rate methodology to more accurately estimate defaults for the 7(a) Loan Program. The conferees support a recalculation of the 7(a) subsidy rate using this new econometric method in fiscal year 2003. In addition, the conferees direct the SBA to develop similar, more accurate econometric models during this fiscal year for use in other SBA loan and financing programs, especially the 504 Loan Program. The conferees expect the SBA to put forward credible program proposals for the 7(a) Business Loan Program account in future fiscal years.

7(a) Business Loan Cap—Beginning October 1, 2002, the SBA imposed a $500,000 cap on the maximum loan size of 7(a) business loans with the justification that funding under any fiscal year 2003 continuing resolution would limit the amount of available funds for 7(a) and require the SBA to limit the size of individual loans. The conference agreement includes the requested amount of new budget authority for the 7(a) Loan Program for fiscal year 2003. The conferees therefore expect that, upon enactment of this Act, the SBA will remove the 7(a) loan cap or submit a written justification to the Committees on Appropriations and the Small Business Committees as to the necessity of such a cap.

The conferees support the participation of credit unions as authorized lenders for the guaranteed loan programs of the SBA, in accordance with the Small Business Act, as amended, and State and Federal regulatory requirements.

DISASTER LOANS PROGRAM ACCOUNT

The conference agreement includes $191,494,000 for the Disaster Loans Program Account for loan subsidies and associated administrative expenses. The conference agreement includes new budget authority of $73,140,000 for the subsidy costs of disaster loans, which when combined with estimated recoveries and balances of $38,806,000 will provide for a loan program level of over $800,000,000, which represents an average annual disaster loan program level.

The conference agreement includes $118,354,000 for administrative expenses of carrying out the program, which may be transferred to and merged with appropriations for salaries and expenses. The conference agreement includes language specifying that, of the amount provided for administrative expenses, $108,000,000 is for the direct administrative expenses of loan making and loan servicing, and $9,854,000 is for indirect administrative expenses. The conference agreement also includes language requiring that any amount in excess of $9,854,000 transferred to the salaries and expenses account for indirect administrative expenses shall be subject to reprogramming requirements, as detailed under section 605. In addition, the conference agreement retains language transferring $500,000 of the amount provided for administrative expenses to the Office of Inspector General for audits and reviews of the disaster loan portfolio.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides $3,000,000 for the State Justice Institute (SJI), as proposed by the House instead of $3,100,000 as proposed by the Senate.

The SJI is a private, non-governmental organization, which awards grants to improve the administration of justice in State courts. In addition to grants provided by SJI, State courts are also eligible to receive funding from many Office of Justice Programs' accounts such as the Byrne Formula program, Drug Courts, Criminal Identification Technology Act programs, Southwest Border Prosecutor Initiative, the Gun Violence Reduction Program, Juvenile Accountability Incentive Block Grant Program, Criminal Records Upgrade programs, Child Abuse Training for Judicial Personnel and Practitioners, Closed-Circuit Televising of Testimony for Children, and Violence Against Women—STOP Grants.

The fiscal year 2002 Conference Report recommended discontinuing Federal funding for this program in fiscal year 2003 and encouraged SJI to solicit private donations and resources from State and local agencies. The Conferees understand that the Institute has not been successful in its efforts to obtain non-Federal funds and has therefore included $3,000,000 to keep SJI operating. The Conferees encourage SJI to continue to solicit donations in order to fund its programs including asking for support from State, local and national bar associations. The Committees on Appropriations have received many letters of support for SJI from these organizations and State court judges. The Conferees feel that the bar associations and the States, who are the beneficiaries of SJI's work, should contribute to funding its programs.

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following General Provisions:

Sec. 601.—The conference agreement includes section 601 regarding the use of appropriations for publicity and propaganda purposes.

Sec. 602.—The conference agreement includes section 602 regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603 regarding the use of funds for consulting purposes.

Sec. 604.—The conference agreement includes section 604 providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

Sec. 605.—The conference agreement includes section 605 regarding the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606.—The conference agreement includes section 606 regarding the construction, repair, or modification of National Oceanic and Atmospheric Administration vessels in overseas shipyards.

Sec. 607.—The conference agreement includes section 607 regarding the purchase of American made products.

Sec. 608.—The conference agreement includes section 608 prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission (EEOC) similar to proposed guidelines covering harassment based on religion published by the EEOC in October 1993.

Sec. 609.—The conference agreement includes section 609 prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national unless the President certifies that the involvement is in the national security interest.

Sec. 610.—The conference agreement includes section 610 that prohibits use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

Sec. 611.—The conference agreement includes section 611 prohibiting any use of funds to implement a certain Memorandum of Agreement between the Federal Trade Commission and the Antitrust Division of the Department of Justice.

Sec. 612.—The conference agreement includes section 612 requiring agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Sec. 613.—The conference agreement includes section 613 limiting funding under the Local Law Enforcement Block Grant to 90 percent to an entity that does not provide public safety officers injured in the line of duty, and as a result separated or retired from their jobs, with health insurance benefits equal to the insurance they received while on duty.

Sec. 614.—The conference agreement includes section 614 that permanently prohibits funds provided in this Act from being used to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, provided such restrictions are applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services provided to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Sec. 615.—The conference agreement includes section 615 extending the prohibition on the use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti, including exemption and reporting requirements.

Sec. 616.—The conference agreement includes section 616 that prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 617.—The conference agreement includes section 617 regarding amounts available under the Crime Victims Fund.

Sec. 618.—The conference agreement includes section 618 prohibiting the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Sec. 619.—The conference agreement includes section 619 prohibiting the use of funds appropriated or otherwise made available to the departments of State and Justice to process visas for citizens of countries that the Attorney General has determined deny or delay accepting the return of deported citizens.

Sec. 620.—The conference agreement includes section 620 prohibiting the use of Department of Justice funds to transport a maximum or high security prisoner to any facility other than a facility certified by the Bureau of Prisons as appropriately secure to house such a prisoner.

Sec. 621.—The conference agreement includes section 621 that prohibits the use of appropriated funds to purchase certain audio-visual materials to be used by Federal prisoners for primarily recreational purposes.

Sec. 622.—The conference agreement includes section 622 regarding transfers of funds.

Sec. 623.—The conference agreement includes section 623 regarding the implementation of telecommuting programs.

Sec. 624.—The conference agreement includes section 624 making funds appropriated for a certain loan program available for the general 7(a) Business Loan Program.

Sec. 625.—The conference agreement includes section 625 providing additional amounts for the Small Business Administration Salaries and Expenses account for certain initiatives.

Sec. 626.—The conference agreement includes section 626 regarding the transfer of funds for an intermodal marine facility for the Port of Anchorage to the Maritime Administration.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The conference agreement includes a rescission of $78,000,000 from unobligated balances under this heading.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of $50,874,000 from unobligated balances under this heading.

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

The conference agreement includes a rescission of $580,000 from unobligated balances under this heading.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

COASTAL IMPACT ASSISTANCE

(RESCISSION)

The conference agreement includes a rescission of $7,000,000 from unobligated balances under this heading.

DEPARTMENTAL MANAGEMENT

EMERGENCY OIL AND GAS GUARANTEED LOAN PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of $920,000 from unobligated balances under this heading.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $5,700,000 from unobligated balances under this heading. The conferees agree that this rescission represents an amount available in prior year excess fee collections.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $13,750,000 from unobligated balances under this heading. The conferees agree that this rescission represents unobligated balances remaining from appropriations for New Markets Technical Assistance.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of $10,500,000 from unobligated balances under this heading. The conferees

agree that this rescission represents unobligated balances remaining from appropriations for the New Markets Venture Capital Program.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

[in thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$44,601,829
Budget estimates of new (obligational) authority, fiscal year 2003	44,019,021
House bill, fiscal year 2003	44,352,872
Senate bill, fiscal year 2003	44,939,792
Conference agreement, fiscal year 2003	44,773,730
New budget (obigational) authority, fiscal year 2002	+171,901
Budget estimates of new (obligational) authority, fiscal year 2003	+754,709
House bill, fiscal year 2003	+420,858
Senate bill, fiscal year 2003	−166,062

DIVISION C

DISTRICT OF COLUMBIA APPROPRIATIONS, 2003

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 107–716 and the Senate explanatory statement as delineated in the Congressional Record of January 15, 2003, pages S469 through S492, that are not changed by the conference are approved by the committee of conference.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the Congressional budget justifications accompanying the fiscal year 2003 budget or the underlying authorizing statute and should give full consideration to all items, including items allocating specific funding included in the House report and the Senate explanatory statement. With respect to the provisions in the House report and the Senate explanatory statement that specifically allocate funds, each has been reviewed and those which are jointly concurred in have been included in this joint statement.

A summary chart appears later in this statement showing the Federal appropriations by account the fiscal year 2003 request, the House and Senate recommendations, and the conference allowance.

The District of Columbia Appropriations Act, 2003, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes $17,000,000 for a Federal payment for resident tuition support as proposed by both the House and Senate.

Language was included in the District of Columbia Appropriations Act, 2002 requiring the Resident Tuition Support Program Office and the Office of the Chief Financial Officer to provide quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the use of resident tuition support funds by object class. The conferees are concerned that these reports have not been forthcoming. The conferees have included this reporting requirement again in the fiscal year 2003 appropriations bill and expect the Chief Financial Officer to submit these reports in a timely manner. The conferees request that the Chief Financial Officer include with the quarterly report due March 31, 2003, a second report reviewing the program, by quarter and in summary, since its inception.

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

The conference agreement includes $15,000,000 for a Federal payment for emergency planning and security costs in the District of Columbia as proposed by both the House and Senate. These funds are to reimburse the District for overtime expenses related to providing security at events related to Federal government activities and for costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia.

The agreement includes a provision as proposed by the House to provide that this funding is available only after notice of its proposed use has been transmitted by the President to the Congress and such amount has been apportioned pursuant to chapter 15 of title 31, U.S.C. The Senate bill included a provision to require the Chief Financial Officer to submit a report, within 15 days of an expenditure, to the President and the Committees on Appropriations of the House of Representatives and Senate detailing the expenditure of funds for public safety purposes.

The agreement also includes a modified provision to require that the Office of Management and Budget, in consultation with the United States Park Police, National Park Service, Secret Service, Federal Bureau of Investigation, United States Protective Service, Department of State, and the General Services Administration, review the National Capital Planning Commission study on ''Designing for Security in the Nation's Capital'' and report on the steps each agency will take to improve aesthetic the appearance of security measures no later than April 11, 2003. The Senate bill included a similar provision, but required the report no later than February 5, 2003. The House had no similar provision.

FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM PREPAREDNESS IN THE DISTRICT OF COLUMBIA

The conference agreement includes $10,000,000 for a Federal payment for hospital bioterrorism preparedness in the District of Columbia as proposed by the Senate. The House had no similar provision. Of this amount, $5,000,000 is for the expansion of quarantine facilities and the establishment of a decontamination facility at Children's National Medical Center and $5,000,000 is for construction of containment facilities at the Washington Hospital Center.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

The conference agreement includes $161,943,000 for a Federal payment to the District of Columbia courts, instead of $160,545,000 as proposed by the House, and $166,193,000 as proposed by the Senate. Included in this amount is $1,500,000 above the President's request for the Integrated Justice Information System as proposed by both the House and Senate.

The agreement includes a provision as proposed by the Senate to allow the District of Columbia courts to reallocate not more than $1,000,000 of the funds provided under this heading among items and entities funded under this heading 30 days after providing written notification to the Committees on Appropriations of the House of Representatives and Senate. The House had no similar provision.

The agreement also includes a provision proposed by the Senate to exempt the District of Columbia courts from violating section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, on the use of interest earned on the Federal payment provided in the 1998 appropriations Act during fiscal year 1998. The House had no similar provision.

The conference agreement does not include funding or contract authority for guardian ad litem representation as proposed by the Senate under this heading. The House had no similar provisions. These provisions are addressed under Defender Services.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

The conference agreement includes $17,100,000 for Defender Services in District of Columbia courts. In addition, the conferees direct Defender Services to use $16,400,000 of unobligated balances to provide a total program level of $33,500,000, instead of $32,000,000 as proposed by the House, and $34,000,000 as proposed by the Senate. Defender Services is currently carrying an unobligated balance of $20,673,000. The conferees understand that costs in this program have historically been difficult to predict and there is a need to carryover some unobligated balances from year to year to ensure adequate financing of representation for vulnerable children and families and indigent defendants. However, the conferees believe the courts need to develop a better way of tracking these costs and request a preliminary report on how to achieve this goal no later than April 30, 2003.

The conference agreement includes $1,500,000 to provide guardians ad litem to abused and neglected children in the District of Columbia Family Court. The agreement also includes language to allow the courts to enter into contractual agreements to provide guardian ad litem representation, training, technical assistance, and/or other services to improve the quality of guardian ad litem representation, including infrastructure development, as necessary. The conferees urge the courts to enter into these agreements with entities that have expertise in representing abused and neglected children, child welfare, adoption, guardianship, special education, and domestic violence.

The agreement does not include a provision as proposed by the House to allow unobligated funds from previous years to be used toward the portion of the amount under this heading which is attributable to increases in the maximum amounts which may be paid for representation services in the District of Columbia courts. The Senate bill contained no similar provision.

The agreement does not include a provision as proposed by the Senate to provide an increase in the hourly rate of defender services attorneys from $65 per hour to $75 per hour in fiscal year 2003 and from $75 per hour to $90 per hour in fiscal year 2004. The House contained no similar provision.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

The conference agreement includes $154,707,000 for a Federal payment to the court services and offender supervision agency for the District of Columbia as proposed by both the House and Senate

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA DEPARTMENT OF TRANSPORTATION

The conference agreement includes $1,000,000 for a Federal payment to the District of Columbia Department of Transportation as proposed by both the House and Senate.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

The conference agreement includes $40,300,000 for a Federal payment to the Chief Financial Officer of the District of Columbia, instead of $23,450,000 as proposed by the House, and $15,000,000 as proposed by the Senate. These funds are for programs and activities to support economic development and infrastructure in the District and the health, education, and job training needs of District residents and are to be allocated as follows: $50,000 for the American University Women & Politics Institute to contribute to the annual National Education for Women Leadership D.C. Program; $100,000 for Project Reality to implement the Game Plan abstinence education program in the District of Columbia public schools; $100,000 to Friends of Fort Dupont to restore and upgrade unused Fort Dupont baseball fields; $100,000 to the Association for the Preservation of Historic Congressional Cemetery for repairs and renovations, including the cemetery's fence and the Public Vault; $150,000 to the Capital Children's Museum to conduct a feasibility study of the proposed southwest waterfront site for a relocated museum in Washington, D.C.; $150,000 for KidBiz 3000 for a reading comprehension, fluency, and vocabulary program; $200,000 to the National Maritime Heritage Foundation to establish the National Maritime Heritage Program to create maritime education focused on youth training and tourism promotion initiatives in Washington, D.C.; $250,000 for Values First, Inc. to continue to implement a values infusion program in the District of Columbia public schools; $250,000 to the Best Friends Foundation to provide a youth development program to District of Columbia youth; $250,000 to the National Music Center and Museum Foundation for a program to use the performing and visual arts as teaching and learning tools in the District of Columbia Public Education System; $250,000 to the National Council of Negro Women, Inc. for renovations at 633 Pennsylvania Avenue; $250,000 for the Washington Opera Education and Community Program to enhance classroom learning in District of Columbia Public Schools through music education and with the D.C. Arts Humanities Education Collaborative; $250,000 for the Washington Lab School to continue the development of methodologies for teaching individuals with learning disabilities; $250,000 for the Congressional Glaucoma Caucus Foundation to provide glaucoma screenings in low-income District of Columbia neighborhoods; $250,000 for the Perry School Community Services Center to expand its job and career training programs to poor individuals in the District; $275,000 for the DC Safe Kids Coalition to provide a child occupant protection program and to operate a child safety seat fitting station; $300,000 to the International Youth Service and Development Corps for the Washington, D.C. Mentoring Friends Program and the People's House Hotline; $300,000 to the Public Access Corporation of the District of Columbia for the Future Producers Program; $300,000 to the Criminal Justice Coordinating Council for the District of Columbia; $300,000 for the Washington Jesuit Academy to provide hardware and software to equip the Technology Innovation and Learning Lab; $350,000 to the National Center for Manufacturing Sciences for a partnership with the Excel Institute to develop a job training program for District residents; $400,000 to the Excel Institute Adult Education Program for construction; $400,000 for the Close-Up Foundation Capital Connection Program to provide a multi-year civic education residential program for 10th grade students in District of Columbia Public Schools; $400,000 for Teach for America, DC, to recruit and train qualified college graduates to teach in understaffed and low-performing schools; $500,000 to the Historical Society of Washington for capital improvements to the City Museum; $500,000 to the United Negro College Fund Special Programs for a study on how the District of Columbia Public School System could improve the educational performance and achievement of its students; $500,000 to the American Cities Foundation to collect national data and disseminate information to District entities on innovative approaches to the delivery of K–12 education; $500,000 to the Innovative Emergency Management, Inc. to assist the Emergency Management Office in developing an evacuation plan for the District of Columbia; $500,000 to the University of New Orleans Center for Hazards Assessment and the George Washington University Institute for Crisis, Disaster and Risk Management to assist the District in city security and emergency preparedness; $500,000 to the Capitol City Career Development and Training Partnership to provide job training and career development services to District residents; $500,000 to the Washington Center on Best Practices for assistance to and promotion of early education awareness programs; $500,000 to the Caribbean American Mission for Education Research and Action to support the Mission's efforts to build linkages between Caribbean educational entities and District of Columbia and other regional higher education institutions for the purposes of sharing of U.S. expertise in educational methodologies; $500,000 for Community Youth Connection to expand its mentoring to disadvantaged students; $500,000 to the Metropolitan Council of Governments' District of Columbia Area Housing Trust Fund for development, rehabilitation, and construction of affordable housing in the Washington region; $500,000 to the Milton Eisenhower Foundation to expand the Carver Terrace initiative and add another safe-haven ministation in the District; $500,000 to the Good Samaritan Foundation to acquire and renovate a building to expand outreach and mentoring services to at-risk District of Columbia youths; $500,000 to Reach for Tomorrow to support a program that takes a multidimensional approach to working with middle school students in the District of Columbia; $500,000 to the District of Columbia Metropolitan Police Department for Secures demonstration project with the Washington, D.C. Metropolitan Police Department to evaluate the effectiveness and technical utility of an automated gunshot detection system; $500,000 to the Institute for Responsible Fatherhood to expand capacity to provide home-based counseling, education, training, and related services to low-income fathers and their families; $600,000 to Second Chance Employment Services to increase capacity to provide additional job training opportunities for at-risk and low-income women in the District of Columbia; $1,000,000 to Real World Schools to further develop and implement advanced technology curriculum models and learning reforms for secondary education in the District of Columbia Public Schools; $1,000,000 to the Whitman-Walker Clinic for infrastructure improvements; $1,000,000 to the Metropolitan Washington Council of Governments to support the Regional Incident Communication and Coordination System; $1,000,000 to the Council of Court Excellence to continue ongoing independent oversight, which will include an annual report to Congress on implementation of the District of Columbia Family Court Act of 2000 and the Adoption and Safe Families Act of 1997; $1,000,000 to Green Door to renovate its clinic and community center to provide additional services to District of Columbia residents with severe mental illnesses; $1,000,000 to continue demonstration of the ''Active Cap'' river cleanup technology on the Anacostia River which immobilizes river sediment contaminants and treats them in place; $1,225,000 to Covenant House for construction of a new Community Service Center at Covenant House in S.E. Washington, D.C.; $1,250,000 to the Excel Institute for operations in equal quarterly installments within 15 days of the beginning of each quarter; $2,000,000 to the National Center for Manufacturing Sciences for civil infrastructure vulnerability assessment and implementation of resulting protection profiles; $2,000,000 for Voyager Expanded Learning to implement the Voyager Universal Literacy System throughout all District of Columbia Public School kindergarten and 1st grade classes; $2,000,000 to the SEED Foundation Charter School, the only urban public boarding school in the nation, for construction of the Academic Center; $2,000,000 to St. Coletta of Greater Washington, Inc. for property acquisition and construction of a facility to provide services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia; $2,350,000 to the National Trust for Historic Preservation to restore the Lincoln Cottage and to create interpretive programs and exhibits at the site; $2,500,000 to the Canal Park Development Association for development of a park on 2 Street between I Street and M Street in Southeast Washington; and $5,000,000 to Children's National Medical Center in the District of Columbia for capital and equipment improvements.

The conference agreement includes a modified provision to require each entity that receives funding under this heading to submit to the Committees on Appropriations of the House of Representatives and Senate, a report on the activities carried out with such funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

The conference agreement includes $2,800,000 to continue improvements on the historic Potomac Southwest Waterfront, including rebuilding the docks, instead of $1,000,000 as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the District of Columbia Department of Housing and Community Development to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR ASBESTOS REMEDIATION

The conference agreement includes $1,000,000 to reimburse Fairfax County, Virginia for remediation of asbestos on the former site of the Lorton Correctional Complex as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the General Services Administration to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

The conference agreement includes $2,000,000 to repair, renovate, and rehabilitate fire stations in need of capital improvements as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the District of Columbia Fire and Emergency Medical Services Department to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR SPECIAL EDUCATION

The conference agreement includes $3,000,000 to establish special education satellite facilities in the District of Columbia. The House proposed $14,000,000 for a Federal payment for special education, including $5,000,000 for transportation services and $9,000,000 for satellite facilities. The Senate bill contained no similar provision.

The conferees are concerned about the increasing costs of delivering services to special education students. Several factors are responsible for these increases, many of which are interrelated, such as the increase in the special education population and the number of non-public placements. The conferees commend the Mayor and the Board of Education for their efforts to begin to reform the special education system in the District. A Special Education Task Force that was recently established has adopted and presented to the Mayor a Special Education Cost Savings Plan that has been certified by the Chief Financial Officer. The conferees are supportive of these efforts and concur with the District's fiscal year 2003 budget submission to dedicate $27,000,000 in local funds for special education reform. In addition, the conferees provide $3,000,000 in Federal funds to create additional campuses that will provide all special education students who live in the District with the opportunity to receive a public education in their own city. The conferees will continue to monitor the efforts of the District to reform the special education system.

FEDERAL PAYMENT FOR THE FAMILY LITERACY PROGRAM

The conference agreement includes $4,000,000 for the family literacy program as proposed by the Senate, instead of $5,000,000 as proposed by the House.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The conference agreement includes $50,000,000 for a Federal payment to the District of Columbia Water and Sewer Authority for the Combined Sewer Overflow Long-Term Plan, as proposed by both the House and Senate. The agreement also includes a provision that the Water and Sewer Authority provide a 100 percent match for the fiscal year 2003 Federal contribution, as proposed by the Senate. The House had a similar provision, but required the match to be made in fiscal year 2003.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITITIAVE IN THE DISTRICT OF COLUMBIA

The conference agreement includes $5,000,000 for implementation of the Anacostia Waterfront Initiative as proposed by the Senate. The House had no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR CAPITAL DEVELOPMENT

The conference agreement includes $10,150,000 for a Federal payment to the District of Columbia for capital development, instead of $24,298,000 as proposed by the House, and $13,100,000 as proposed by the Senate. Included in this amount is $150,000 for renovations at Eastern Market as proposed by the House, instead of $100,000 as proposed by the Senate. Also included in this amount is $10,000,000 for the Unified Communications Center as proposed by the Senate, instead of $19,148,000 as proposed by the House.

The agreement does not include funding for the forensic laboratory. The House had $5,000,000 and the Senate bill contained $3,000,000 for this project. The District estimates the total cost of construction to be $75,000,000 over three years. The conferees note that the District's capital budget does not include local funding dedicated to this project. While the conferees are supportive of the project, there are not sufficient Federal funds available for it in fiscal year 2003.

The conference agreement includes a provision to make these funds available until expended as proposed by the House. The Senate bill contained no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR PUBLIC CHARTER SCHOOL FACILITIES

The conference agreement includes $17,000,000 for a Federal payment to the District of Columbia for development of public charter school facilities, instead of $16,000,000 as proposed by the House, and $20,000,000 as proposed by the Senate. Included in this amount is $4,000,000 to supplement the per pupil facilities allocation, $5,000,000 for the Direct Loan Fund for Charter School Improvement, and $8,000,000 for the Credit Enhancement Revolving Fund. The House provided $16,000,000 for the Credit Enhancement Revolving Fund while the Senate bill included $1,000,000 for the Office of Charter School Financing and Support, $4,000,000 for the Per Pupil Allocation, $5,000,000 for the Credit Enhancement Fund for Public Charter Schools, and $10,000,000 for the Direct Loan Fund for Charter School Improvement. The per pupil facilities allocation will establish a minimum allocation of $1,500 per charter school pupil.

TITLE II—DISTRICT OF COLUMBIA FUNDS OPERATING EXPENSES

DIVISION OF EXPENSES

The conference agreement provides that operating expenses for the District of Columbia for fiscal year 2003 shall not exceed $6,294,522,000, of which $1,712,498,000 is from Federal funds, instead of $6,434,709,000, of which $1,770,948,000 is from Federal funds as proposed by the House, and $6,433,359,000, of which $1,824,578,000 is from Federal funds, as proposed by the Senate. The changes in the amounts reflect the revised budget submitted pursuant to Sec. 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives and actions taken by the conferees in the funding levels under the various appropriation headings.

GOVERNMENTAL DIRECTION AND SUPPORT

The conference agreement includes $307,173,000 for governmental direction and support, including $207,971,000 from local funds, $80,854,000 from Federal funds, and $18,348,000 from other funds, instead of $303,586,000, including $225,234,000 from local funds, $60,004,000 from Federal funds, and $18,348,000 from other funds as proposed by the House, and $295,136,000, including $225,234,000 from local funds, $51,554,000 from Federal funds, and $18,348,000 from other funds as proposed by the Senate.

Office of the Mayor—The conference agreement includes $4,000,000 from Federal funds appropriated earlier in this Act for the family literacy program.

Office of the Chief Financial Officer—The conference agreement includes $40,300,000 from Federal funds appropriated earlier in this Act for programs and activities to support economic development and infrastructure in the District and the health, education, and job training needs of District residents.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement includes $244,358,000 for economic development and support, including $56,872,000 from local funds, $97,796,000 from Federal funds, and $89,690,000 from other funds, instead of $258,539,000, including $64,553,000 from local funds, $97,796,000 from Federal funds, and $96,190,000 from other funds as proposed by both the House and Senate.

The conference agreement earmarks $725,000 for the Development of Employment Services as proposed by the House, instead of $725,400 as proposed by the Senate.

PUBLIC SAFETY AND JUSTICE

The conference agreement includes $622,531,000 for public safety and justice, including $602,678,000 from local funds, $11,329,000 from Federal funds, and $8,524,000 from other funds, instead of $639,892,000, including $620,039,000 from local funds, $11,329,000 from Federal funds, and $8,524,000 from other funds as proposed by both the House and Senate.

PUBLIC EDUCATION SYSTEM

The conference agreement includes $1,206,169,000 for the public education system, including $939,174,000 from local funds, $208,470,000 from Federal funds, $31,525,000 from other funds, and $27,000,000 from the Medicaid and Special Education Reform Fund, instead of $1,257,201,000, including $980,206,000 from local funds, $218,470,000 from Federal funds, $31,525,000 from other funds, and $27,000,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and $1,220,201,000, including $980,206,000 from local funds, $208,870,000 from Federal funds, and $31,525,000 from other funds as proposed by the Senate.

District of Columbia Public Schools—The allocation includes $902,936,000 for District of Columbia public schools, including $713,494,000 from local funds, $150,800,000 from Federal funds, $11,642,000 from other funds, and $27,000,000 from the Medicaid and Special Education Reform Fund, instead of $944,157,000, including $743,715,000 from local funds, $161,800,000 from Federal funds, $11,642,000 from other funds, and $27,000,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and $903,157,000, including $743,715,000 from local funds, $147,800,000 from Federal funds, and $11,642,000 from other funds as proposed by the Senate.

The conference agreement includes $3,000,000 from Federal funds appropriated earlier in this Act to establish special education satellite facilities in the District of Columbia.

State Education Office—The allocation includes $49,687,000 for the State education office, including $22,594,000 from local funds, $26,917,000 from Federal funds, and $176,000 from other funds as proposed by both the House and Senate.

District of Columbia Public Charter Schools—The allocation includes $142,711,000 for District of Columbia public charter schools, including $125,711,000 from local funds and $17,000,000 from Federal funds, instead of $148,865,000, including $132,865,000 from local funds and $16,000,000 from Federal funds as proposed by the House, and $132,865,000 from local funds as proposed by the Senate.

The conference agreement includes $17,000,000 from Federal funds appropriated earlier in this Act for public charter school facilities development.

University of the District of Columbia—The allocation includes $81,180,000 for the University of the District of Columbia, including $49,462,000 from local funds, $12,668,000 from Federal funds, and $19,050,000 from other funds, instead of $83,990,000, including $52,272,000 from local funds, $12,668,000 from Federal funds, and $19,050,000 from other funds as proposed by both the House and Senate.

District of Columbia Public Libraries—The allocation includes $27,363,000 for District of Columbia public libraries, including $26,216,000 from local funds, $610,000 from Federal funds, and $537,000 from other funds, instead of $28,150,000, including $27,003,000 from local funds, $610,000 from Federal funds, and $537,000 from other funds as proposed by both the House and Senate.

Commission on the Arts and Humanities—The allocation includes $2,292,000 for the commission on the arts and humanities, including $1,697,000 from local funds, $475,000 from Federal funds, and $120,000 from other funds, instead of $2,352,000, including $1,757,000 from local funds, $475,000 from Federal funds, and $120,000 from other funds as proposed by both the House and Senate.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $2,451,818,000 for human support services, including $1,002,284,000 from local funds, $1,373,680,000 from Federal funds, $52,987,000 from other funds, and $22,867,000 from the Medicaid and Special Education Reform Fund, instead of $2,474,297,000, including $1,019,763,000 from local funds, $1,378,680,000 from Federal funds, $52,987,000 from other funds, and $22,867,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and $2,500,297,000, including $1,069,630,000 from local funds, $1,377,680,000 from Federal funds, and $52,987,000 from other funds as proposed by the Senate.

PUBLIC WORKS

The conference agreement includes $320,357,000 for public works, including $304,363,000 from local funds, $5,669,000 from Federal funds, and $10,325,000 from other funds, instead of $324,828,000, including $309,824,000 from local funds, $4,669,000 from Federal funds, and $10,325,000 from other funds as proposed by both the House and Senate.

The conference agreement includes $1,000,000 from Federal funds appropriated earlier in this Act to implement transportation systems management initiatives and strategies.

RESERVE

The conference agreement includes $70,000,000 for the reserve from local funds as proposed by both the House and Senate.

REPAYMENT OF LOANS AND INTEREST

The conference agreement includes $260,951,000 for repayment of loans and interest from local funds, instead of $267,451,000 from local funds as proposed by both the House and Senate.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

The conference agreement includes $39,300,000 for repayment of general fund recovery debt from local funds as proposed by both the House and Senate.

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

The conference agreement includes $1,000,000 for payment of interest on short-term borrowing from local funds as proposed by both the House and Senate.

CERTIFICATES OF PARTICIPATION

The conference agreement includes $7,950,000 for certificates of participation from local funds as proposed by both the House and Senate.

SETTLEMENTS AND JUDGMENTS

The conference agreement includes $22,822,000 for settlements and judgments from local funds as proposed by both the House and Senate.

WILSON BUILDING

The conference agreement includes $4,194,000 for the Wilson building from local funds as proposed by both the House and Senate.

WORKFORCE INVESTMENTS

The conference agreement includes $48,186,000 for workforce investments from local funds, instead of $54,186,000 from local funds as proposed by both the House and Senate.

TOBACCO SETTLEMENT TRUST FUND

In November 1998, the District, 46 state governments and other jurisdictions signed the agreement, ending a four-year legal battle over medical treatment costs incurred for smoking-related illnesses. Under the settlement, the tobacco companies are scheduled to pay $253 billion over 25 or more years. The receiving governments may use the funds for any purpose including issuance of revenue bonds.

In fiscal year 2001, the District securitized its settlement payments in exchange for a lump-sum payment to repay existing long-term debt and thereby generating relief from that debt service. In fiscal year 2003, $49,867,430 in savings will be achieved. Of this amount $49,867,000 will be placed into the District's Medicaid and Special Education Reform fund established by D.C. Law 14–190. These funds shall remain available until expended. From this fund, $27,000,000 will be made available to the District's Public Education System and $22,867,000 will be made available to the District's Human Support Services to fund Medicaid and special education reform activities within the District. These funds will ensure that adequate resources are available to support District-wide Medicaid costs.

NON–DEPARTMENTAL AGENCY

The conference agreement includes $5,799,000 for the non-Department agency from local funds as proposed by both the House and Senate.

EMERGENCY PLANNING AND SECURITY COSTS

The conference agreement includes $15,000,000 for emergency planning and security costs from Federal funds appropriated earlier in this Act as proposed by both the House and Senate.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

The conference agreement includes $253,743,000 for the water and sewer authority from other funds as proposed by both the House and Senate.

WASHINGTON AQUEDUCT

The conference agreement includes $57,847,000 for the Washington aqueduct from other funds as proposed by both the House and Senate.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

The conference agreement includes $3,100,000 for the stormwater permit compliance enterprise funds from other funds as proposed by both the House and Senate.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

The conference agreement includes $232,881,000 for the lottery and charitable games enterprise fund from other funds as proposed by both the House and Senate.

SPORTS AND ENTERTAINMENT COMMISSION

The conference agreement includes $20,510,000 for the sports and entertainment commission, including $5,000,000 from Federal funds appropriated earlier in this Act for implementation of the Anacostia Waterfront Initiative and $15,510,000 from other funds as proposed by the Senate, instead of $15,510,000 from other funds as proposed by the House.

The conferees note that the District of Columbia has developed plans for the design and construction of a Regional Sports Complex at Kenilworth Park, NE., Washington, D.C., a portion of which is owned by the National Park Service. The site, an area of approximately 50 acres, was a District landfill until the late 1960's when the landfill was capped.

The National Park Service has conducted a Preliminary Assessment/Site Investigation and a Remedial Investigation/Feasibility Study at the site. The latter study is in draft and has been coordinated with the District and the Environmental Protection Agency (EPA) Region III. As a result of regulatory reviews, the District has requested a Human Health Risk Assessment from the Centers for Disease Control and Prevention and the EPA Region III has extensive comments that will result in further investigations and require at least a year or more to complete.

The conferees urge the District of Columbia, specifically the D.C. Department of Recreation and D.C. Sports and Entertainment Commission to work with the National Park Service to develop a land use plan for the development of Kenilworth Park that could be implemented in conjunction with remediation and report the results of that effort to the Committees on Appropriations of the House of Representatives and Senate no later than six months after enactment. The conferees recognize that before any plan can be implemented for this site, the environmental investigations and subsequent remediation will have to be completed.

DISTRICT OF COLUMBIA RETIREMENT BOARD

The conference agreement includes $13,388,000 for the District of Columbia retirement board from other funds as proposed by both the House and Senate.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

The conference agreement includes $78,700,000 for the Washington convention center enterprise fund from other funds as proposed by both the House and Senate.

NATIONAL CAPITAL REVITALIZATION CORPORATION

The conference agreement includes $6,745,000 for the National capital revitalization corporation from other funds as proposed by both the House and Senate.

CAPITAL OUTLAYS

(INCLUDING RESCISSIONS)

The conference agreement includes $671,020,000 for capital outlays, including $555,097,000 from local funds, $48,132,000 from Highway Trust funds, $321,782,000 from Federal funds, and a rescission of $253,991,000 from local funds appropriated under this heading in prior years, instead of $666,367,780, including $538,096,996 from local funds, $48,131,855 from Highway Trust funds, $334,130,057 from Federal funds, and a rescission of $253,991,128 from local funds appropriated under this heading in prior years as proposed by the House, and $981,527,780, including a rescission of $253,991,128 from local funds appropriated under this heading in prior years as proposed by the Senate.

The conference agreement includes $2,000,000 from Federal funds appropriated earlier in this Act to repair, renovate, and rehabilitate fire stations in need of capital improvements; $2,800,000 from Federal funds appropriated earlier in this Act to continue improvements on the historic Potomac Southwest Waterfront; and $10,150,000 from Federal funds appropriated earlier in this Act for capital development, of which $150,000 is for renovations at Eastern Market and $10,000,000 is for the Unified Communications Center. The conferees request that a report on the activities carried out with these funds be submitted to the Committees

on Appropriations of the House of Representatives and Senate by April 30, 2003.

TITLE III—GENERAL PROVISIONS

The conference agreement changes several section numbers for sequential purposes and makes technical revisions to several provisions.

The conference agreement retains Sec. 105 as proposed by the Senate. The House proposed to make this section permanent law.

The conference agreement makes Sec. 108 permanent law as proposed by the House. The Senate bill contained no similar provision.

The conference agreement amends Sec. 112 to require the Mayor report to the Committees on Appropriations of the House of Representatives and Senate, as well as the Council, the new fiscal year 2003 revenue estimates as proposed by the House. The Senate bill contained no similar provision.

The conference agreement retains Sec. 113 as proposed by the Senate. The House proposed to make this section permanent law.

The conference agreement amends Sec. 120(b) to require the Chief Financial Officer of the District of Columbia to submit, by March 1, 2003, an inventory of all vehicles owned, leased or operated by the D.C. government. The House had a similar provision, but required the inventory by November 15, 2002. The Senate bill also contained a similar provision, but required the inventory by February 5, 2003.

The conference agreement includes Sec. 124 as proposed by the House to prohibit the use of any funds contained in this act for needle exchange programs. The Senate bill included a provision to prohibit the use of Federal funds contained in this Act for needle exchange programs.

The conference agreement amends Sec. 129 to require the Mayor to address access to substance and alcohol abuse treatment and consult with District of Columbia Public Schools and District of Columbia public charter schools on education reporting as proposed by the House. The Senate bill contained a similar provision, but it addressed only drug abuse treatment and required consultation with District of Columbia Public Schools only.

The conference agreement includes Sec. 130 to require a revised appropriated funds operating budget no later than 30 calendar days after the date of enactment of this Act as proposed by the Senate. The House had a similar provision, but required the revised operating budget no later than 30 days after date of enactment of this Act.

The conference agreement includes Sec. 132 to prohibit any Federal funds in this Act from being transferred to any department, agency, or instrumentality of the United States Government, except pursuant to authority in an appropriations Act as proposed by the House. The Senate bill contained no similar provision.

The conference agreement includes Sec. 133 to allow the District government to pay the settlement or judgment of a claim or lawsuit in an amount less than $10,000 as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 137 to allow local funds appropriated under this Act to be available for use by the Office of Labor Relations and Collective Bargaining to reimburse the cost of providing representation as proposed by the House. The Senate bill contained a similar provision, but allowed all funds appropriated under this Act to be used for this purpose.

The conference agreement includes Sec. 138 to amend the United States Code and the D.C. Code to allow District of Columbia court employees to participate in the Federal long-term care insurance program as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 139 to transfer $560,000 of funds made available to the District of Columbia courts in the fiscal year 2002 appropriations Act to the District of Columbia Child and Family Services Agency for child abuse services as proposed by the Senate. The House had no similar provision.

The conference agreement amends Sec. 140 to require a report from the Comptroller General no later than June 2, 2003 providing a detailed analysis of the national effort to establish adequate charter school facilities, including a comparison of the efforts in the District of Columbia. The Senate bill contained a similar provision, but required the report no later than April 1, 2003. The House had no similar provision.

The conference agreement includes Sec. 141 to require the Mayor and Council to 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 as well as a plan for occupying at least 50 percent of the space available at the time the report is submitted, which is within 180 days of enactment as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 142 to require the Mayor to establish and fulfill specific performance measures in administering funds provided under the heading ''Federal Payment for Incentives for Adoption of Children,'' in Public Law 106–113 as proposed by the Senate. The House had no similar provision. The conferees are concerned that funds provided in 1999 to the District of Columbia government to promote the adoption of children have yet to be expended. The conferees supported the extension of the availability of funds in 2000 and the expansion of the purpose for which the funds may be used in 2001. However, the funds have still not met their original intent, to increase adoption of children in the foster care system in the District of Columbia. The District of Columbia shall submit quarterly reports on the expenditure of these funds and the implementation of the performance measures to the Committees on Appropriations of the House of Representatives and Senate.

The conference agreement includes Sec. 143 to establish an Office of Public Charter School Financing and Support and a Direct Loan Fund for Charter School Improvement within the District of Columbia as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 146 to amend the District of Columbia School Reform Act of 1995 to establish a Charter School Fund and transfer $5,000,000 from this fund into the credit enhancement revolving fund as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 144 as proposed by the Senate to prohibit the use of any funds in this Act to pay the fees of an attorney who represents a party in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities In Education Act in excess of $4,000 for that action or to pay the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers. The House has no similar provision.

The conference agreement includes Sec. 145 as proposed by the Senate to require attorneys in special education cases brought under the Individuals with Disabilities in Education Act (IDEA) to: certify in writing that the attorney rendered any and all services for which they receive rewards; require all attorneys in IDEA cases to disclose any financial, corporate, legal, membership on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which attorneys have referred any clients; require the Chief Financial Officer of the District of Columbia to prepare and submit quarterly reports on the certification of and the amount paid by the District of Columbia government, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA; and allow the Inspector General of the District of Columbia to conduct investigations to determine the accuracy of the certifications. The House had no similar provision.

The conference agreement does not include a provision as proposed by the Senate to require District of Columbia Public Schools to conduct the evaluation and, if necessary, place the student in an appropriate program of special education services 120 days from the time a student is referred for evaluation or assessment. The House had no similar provision.

The conference agreement does not include a provision to prohibit any person or entity that violates the Buy American Act from receiving funds appropriated in this Act as proposed by the Senate. The House had no similar provision.

The conference agreement does not include a provision to amend the District of Columbia Home Rule Act to conform deposit dates of the emergency and contingency reserve funds as proposed by the House. The Senate bill contained no similar provision.

The conference agreement does not include a provision to require the District of Columbia to submit a revised financial plan and budget for the District government for fiscal year 2003 not later than October 2, 2002 as proposed by the House. The Senate bill contained no similar provision.

CONFERENCE TOTAL—WITH COMPARISIONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

new budget (obligational) authority, fiscal year 2002	607,415
Budget estimates of new (obligational) authority, fiscal year 2003	378,752
House bill, fiscal year 2003	517,000
Senate bill, fiscal year 2003	512,000
Conference agreement, fiscal year 2003	512,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−95,415
Budget estimates of new (obligational) authority, fiscal year 2003	+133,248
House bill, fiscal year 2003	−5,000
Senate bill, fiscal year 2003	

DIVISION D

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 2003

The language and allocations set forth in House Report 107–681 and the Senate explanatory statement as delineated in the Congressional Record of January 15, 2003, pages

S492 through S546, should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Such language should be considered approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate explanatory statement address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate explanatory statement are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of the conference agreement are discussed below.

The conferees remain concerned about the huge and increasing backlog of infrastructure development, maintenance, and repair over which the Corps of Engineers has jurisdiction. The Administration's proposed fiscal year 2003 budget would have caused the backlog of unconstructed projects to increase from $40,000,000,000 to $44,000,000,000, and ignores an accelerating critical maintenance backlog which would increase from $702,000,000 to $884,000,000. This maintenance backlog will soon become entirely unmanageable under the weight of an aging and crumbling inventory. Proposing no new studies and only one new construction start, under funding ongoing projects, and providing minimal operation and maintenance funding for completed projects leads the conferees to believe that the budget request may have been influenced by very narrow interest groups rather than the needs of the country. In the face of such an irresponsible position, the Congress has no option but to step forward in support of these vital projects.

The conferees are concerned that Corps of Engineers technical and planning capabilities have diminished over the past decade. This diminished capability has been evident in recent studies, such as the Upper Mississippi and Illinois Waterway Navigation Study and the Delaware River Deepening project. The conferees urge the Corps of Engineers to review ways in which it can improve its capability, including concentrating its technical and planning expertise in regional centers. The Corps should report back to the House and Senate Appropriations Committees within one year on its findings.

GENERAL INVESTIGATIONS

The conference agreement appropriates $135,019,000 for General Investigations instead of $143,680,000 as proposed by the House and $148,304,000 as proposed by the Senate.

The conference agreement includes $1,000,000 for the Napa River Salt Marsh Restoration project in California, $900,000 to complete the feasibility study, and $100,000 to initiate preconstruction engineering and design.

The conference agreement does not include funds for the Port of Stockton, California, study proposed by the House. Funds for this work are included in the amount provided for the San Francisco Bay to Stockton, California, project in the Construction, General, account.

The conference agreement includes $3,073,000 for the Corps of Engineers to complete the feasibility study and initiate preconstruction engineering and design for the Sacramento and San Joaquin Comprehensive Basin study in California.

The conference agreement does not include funds in this account for the Treatment of Dredged Material from Long Island Sound, Connecticut, project. Funds for the project are included in the Operation and Maintenance, General, account.

The conference agreement includes $500,000 for the Corps of Engineers to perform a General Reevaluation Report for the Federal navigation project at St. Petersburg Harbor, Florida.

The conferees have provided $450,000 for the Chesapeake Bay Shoreline Erosion, Maryland, Virginia, and Pennsylvania, study, including $100,000 to initiate the shoreline erosion portion of the feasibility study.

The conference agreement includes $1,500,000 for the Great Lakes Navigation System study. The conferees have included language in the bill allowing the Secretary, in pursuing this study, to partner with, and accept contributions from, the St. Lawrence Seaway Development Corporation and agents of the government of Canada. The conferees understand the need for an evaluation of the existing physical structures of the St. Lawrence Seaway to ensure the future viability of the system. However, the conferees are concerned about the scope of the ongoing study, primarily with respect to the environmental impact on the Seaway system as a whole and the St. Lawrence River in particular. Any significant disruption of the delicate balance of the St. Lawrence/Great Lakes ecosystem could have a detrimental impact on critical habitats and adversely affect the region's critical recreation, commercial and tourism industries. The conferees direct the Corps of Engineers to take into consideration the recreational, commercial, environmental and tourism impacts of any changes to the Great Lakes Ecosystem, including impacts to the St. Lawrence Seaway as the Corps conducts its Great Lakes Navigation System study.

The conference agreement includes $150,000 for the Corps of Engineers to continue shoreline monitoring and undertake other preconstruction engineering and design activities for the Manteo (Shallowbag) Bay, North Carolina, project. The conferees are aware that there are significant issues that remain to be resolved before this project can proceed to construction.

The conference agreement includes $800,000 for the Mahoning River Environmental Dredging, Ohio and Pennsylvania, study, including $100,000 to study the need for environmental dredging of the Mahoning River within the State of Pennsylvania.

The conferees have provided $200,000 for continuation of the riverfront project in Cincinnati, Ohio. The conferees understand that the City has accelerated the planning and design of the project using non-Federal funds. It is the sense of the conference that these funds should be counted toward any non-Federal cost-sharing requirement. Therefore, the funding provided is to be used for assistance with the development of design and environmental compliance documentation.

The conferees have provided $650,000 for the Walla Walla River Watershed, Oregon and Washington, study, including $100,000 for the Corps of Engineers to work with the Walla Walla Watershed Alliance to investigate restoration of riparian habitat and river flow improvements in the basin.

The conference agreement includes $1,800,000 for the Upper Trinity River Basin, Texas, study, including $300,000 for the Dallas Floodway portion of the project and funds to continue the Trinity Visions project.

The conference agreement includes $4,500,000 for the Coastal Field Data Collection Program, including $1,000,000 for the Southern California Beach Processes study, and $1,000,000 for hurricane evaluation studies in the State of Hawaii and U.S. Territories.

The conferees have provided $8,000,000 for the Flood Plain Management Services program. Within the funds provided, the conferees expect the Corps of Engineers to carry out the work described in the House report and Senate explanatory statement, including $1,000,000 to continue the foundational geographic information system for flood plain management in East Baton Rouge Parish in Louisiana.

The conference agreement includes $5,250,000 for Other Coordination Programs. Within the amount provided, the conferees direct the Corps of Engineers to undertake the activities described in the Senate explanatory statement.

The conference agreement includes $6,500,000 for the Planning Assistance to States program. Within the funds provided, the conferees expect the Corps of Engineers to undertake the activities described in the House report and Senate explanatory statement except for the work described in the House Report for Gwinnett County, Georgia, and the work in Alaska described in the Senate explanatory statement, which has been funded under the Tribal Partnership Program authorized by section 203 of the Water Resources Development Act of 2000. In addition, the conference agreement includes $300,000 for the statewide watershed management assessment for the State of Alabama.

Within the amount provided for Research and Development, $2,000,000 is provided for innovative technology demonstrations for urban flooding and channel restoration. The conferees encourage the Corps of Engineers to cooperate with the Urban Water Research Program of the Desert Research Institute of Nevada in carrying out these demonstrations. In addition, $500,000 is provided for submerged aquatic vegetation research as described in the Senate explanatory statement.

The conferees have agreed to include language in the bill proposed by the House related to the Southwest Valley Flood Damage Reduction study in New Mexico.

The conference agreement deletes language proposed by the House regarding the water resources needs of the central Gulf Coast area.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,756,012,000 for Construction, General instead of $1,831,030,000 as proposed by the House and $1,636,602,000 as proposed by the Senate.

In the process of arriving at the agreed-upon distribution of funding, the conferees were aware of, and took into consideration, the effects on the capability of the Corps of Engineers to execute its fiscal year 2003 program of having functioned for nearly half the year under a series of continuing resolutions. Recognition of the restrictions associated with this mode of operation, and their inevitable impact, compelled the conferees to make several changes from the program that would have been enacted earlier.

The conference agreement includes $19,000,000 for the Corps of Engineers to continue construction of the Rio Salado project in Arizona.

The conference agreement includes $2,000,000 for the Sacramento Area, California, project for the Corps of Engineers to carry out the activities described in the House Report.

The conference agreement includes $1,800,000 for the San Francisco Bay to Stockton, California, project, including funds for continuation of the General Reevaluation Reports on the Avon Turning Basin and the minimal deepening of San Francisco Bay to the Port of Stockton.

The conference agreement includes $2,000,000 for the Tule River, California, Success Reservoir enlargement project. The conferees direct the Corps of Engineers to include the additional rock protection required on the approaches to the State Route 190 bridge as a project cost.

The conferees have included $2,000,000 for the Broward County, Florida, project, including $300,000 for the Corps of Engineers to prepare a General Reevaluation Report for implementation of Segment I of the project.

The amount provided for the Jacksonville Harbor, Florida, project includes $500,000 for the Corps of Engineers to complete plans and specifications for the proposed extension of the channel and initiate a General Reevaluation Report regarding further improvements.

The conference agreement includes $2,500,000 for the Palm Beach/County, Florida, project for activities described in the House Report.

The conferees have provided $3,000,000 for a portion of the Federal share of the costs of the Estero and Gasparilla segments of the Lee County, Florida, shore protection project. The conferees are aware that section 312 of the Water Resources Development Act of 1999 directed the Secretary to carry out the Captiva Island segment of the Lee County project in accordance with section 206 of the Water Resources Development Act of 1992; and also that section 309 of the Water Resources Development Act of 2000 authorized the Secretary to carry out the Estero and Gasparilla segments of the same project in accordance with section 206 of the Water Resources Development Act of 1992. The conferees urge the Secretary of the Army to enter into the required project cooperation agreements for the Captiva, Estero, and Gasparilla segments of the Lee County, Florida, project within six months of enactment of this Act into law and to include funds for these segments in future annual budget requests to Congress.

None of the funds provided for the Olmsted Locks and Dam project are to be used to reimburse the Claims and Judgment Fund.

The conferees continue to recognize the vital importance of the Inner Harbor Navigation Canal Lock, Louisiana, project and direct the Corps of Engineers to take every practicable action to ensure that construction proceeds expeditiously and that project benefits are delivered with dispatch.

The conferees have provided $750,000 for the Mississippi River Gulf Outlet, Louisiana, project for the Corps of Engineers to continue the reevaluation study for the project.

The conference agreement includes $200,000 for the Genessee County Environmental Infrastructure project in Michigan for work on the rain gauge system and the Kearsley Creek interceptor.

The conferees reiterate their support for the wastewater infrastructure needs of the Mille Lacs Band of Ojibwe and the Garrison-Kathio-West Mille Lacs Lake Sanitary District through continued construction of the Mille Lacs Regional Wastewater System connected to the regional wastewater treatment plant on the Mille Lacs Indian Reservation, as established in the Treaty of 1855, 10 Stat. 1165.

The conference agreement includes $8,000,000 for the Mississippi Environmental Infrastructure project. The conferees expect the Corps of Engineers to use the funds to address the most critical water resources needs within the State of Mississippi.

The conferees have provided $1,000,000 for the Rural Montana project. Within the funds provided, the Corps of Engineers should give consideration to Grant Creek, Missoula County, the cities of Belgrade, Helena, and the City of Conrad as described in the House Report.

The conference agreement includes $10,000,000 to continue the Rural Nevada project. Within the funds provided, the Corps of Engineers is directed to give consideration to projects at Boulder City, Lyon County (Carson River Regional Water System), Gerlach, Incline Village, Round Hill, Mesquite, Moapa, Spanish Springs, Battle Mountain, Virgin Valley, Lawton-Verdi, and Esmeralda County.

The conferees are aware that the Corps of Engineers has made significant progress during calendar year 2002 to reorganize the Acequias Irrigation System construction project in New Mexico. The conferees are concerned, however, that the State of New Mexico's Interstate Stream Commission is facing funding shortfalls and is having difficulty garnering the needed resources as the non-Federal sponsor of the project. In addition, the conferees are also aware that there are delays in both the community ditch in northwest New Mexico, as well as in the Cuchillo project. The conferees continue to support this project and are hopeful that the outstanding issues will soon be resolved.

The additional funds provided for the Fire Island Inlet to Montauk Point, New York, project are to be used to carry out the activities described in the House Report.

The conference agreement includes $8,000,000 for the South Central Pennsylvania Environmental Improvement Program. The funds are to be divided equally for work within the Corps of Engineers Baltimore and Pittsburgh Districts.

The conferees have provided $8,500,000 for the Cheyenne River Sioux Tribe, Lower Brule Sioux, South Dakota, project. Within the funds provided, $1,000,000 shall be provided for administrative expenses. The Corps of Engineers is to distribute the remaining funds as directed by Title VI of the Water Resources Development Act of 1999 to the State of South Dakota, the Cheyenne River Sioux Tribe, and the Lower Brule Sioux Tribe.

The conference agreement includes $2,000,000 for the Norfolk Harbor and Channels, Virginia, project, including funds to initiate deepening of the outbound channel.

The conference agreement includes $85,000,000 for the Columbia River Fish Mitigation program in Washington, Oregon, and Idaho. Within the funds provided, $300,000 is for a reconnaissance level investigation of Columbia River flood control operations for the Corps of Engineers to determine what changes, if any, would benefit endangered species, particularly salmon. Evaluation beyond the reconnaissance phase is subject to agency review and congressional notification.

The conferees direct the Corps of Engineers to undertake the projects listed in the House report and Senate explanatory statement and any additional projects described below for the various continuing authorities programs. The recommended funding levels for these programs are as follows: Section 206—$20,000,000; Section 204—$1,500,000; Section 14—$10,000,000; Section 205—$45,000,000; Section 111—$2,000,000; Section 107—$11,000,000; Section 1135—$23,000,000; Section 103—$5,000,000; and Section 208—$1,000,000. The conferees are aware that there are funding requirements for ongoing continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the intent of the conferees that ongoing projects be terminated. If additional funds are needed during the year to keep ongoing work in any program on schedule, the conferees urge the Corps of Engineers to reprogram funds into the program.

Under the Section 205 program, the conference agreement includes $750,000 to initiate detailed plans and specifications for the Jackson Brook Watershed, Morris County, New Jersey, project. The conference agreement does not include funds for the Wind Lake, Wisconsin, project described in the House Report. In addition, $500,000 is provided for the Corps of Engineers to initiate work on the flood damage reduction project on the James River in Greene County, Missouri.

Under the Section 14 program, $200,000 is provided for the Kenosha Harbor, Wisconsin, retaining wall project.

Under the Section 107 program, the conference agreement includes $500,000 to complete plans and specifications, negotiate the project cooperation agreement, and initiate construction of the Russellville Slackwater Harbor project in Arkansas. In addition, the conferees urge the Corps of Engineers to take whatever steps necessary within the funds available under Section 107 to begin work on the small boat harbor at Tatitlik, Alaska.

Under the Section 206 program, the conference agreement includes $250,000 for the Arroyo Mocho, California, project for preliminary restoration planning followed by planning, design, and implementation studies; $700,000 to complete the ecosystem restoration report, initiate and complete plans and specifications, and initiate construction of the Efroymson Restoration Project, Newton County, Indiana; and $180,000 for the Long Lake, Indiana, project.

The conference agreement includes $4,000,000 for the Aquatic Plant Control Program. Within the funds provided, the conferees expect the Corps of Engineers to carry out the activities described in the House Report and Senate explanatory statement.

The conferees have included language in the bill earmarking funds for the following projects in the amounts specified: San Timoteo Creek (Santa Ana River Mainstem), California, $7,000,000; Southern and Eastern Kentucky, $3,000,000; Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Report dated January 2002, Floyd County, Martin County, and Johnson County, Kentucky elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $26,100,000; Grundy, Buchanan, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $13,400,000; and Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, $5,500,000. The conference agreement also includes language proposed by the Senate directing the Corps of Engineers to continue the Dickenson County, Virginia, Detailed Project Report as defined by Plan 4 of the Huntington District Engineer's Draft Supplement to the Section 202 General Plan for Flood Damage Reduction, dated April 1997.

For the Pike County, Kentucky, element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, the conferees direct the Secretary of the Army to amend the Project Cooperation Agreement and implement the project described in the Pike County, Kentucky, Tug Fork Tributaries Detailed Project Report Supplement, dated January 2002.

The conference agreement deletes language proposed by the Senate regarding dispersal barriers in the Chicago Ship and Sanitary Canal in Illinois. Funding for this work is included in the amount appropriated for Construction, General.

The conference agreement includes language proposed by the House regarding the Bois Brule Drainage and Levee District project in Missouri, the Dallas Floodway Extension project in Texas, the Bowie County Levee project in Texas, and the Los Angeles Harbor project in California.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to continue construction of the Hawaii Water Management Project. The conferees have provided $1,000,000 for the project.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to continue construction of the Kaumalapau Harbor, Hawaii, project. The conferees have provided $1,000,000 for the project.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to continue construction of the Waterbury Dam, Vermont, project. The conference agreement includes $2,000,000 for the project within the Dam Safety and Seepage/Stability Correction Program.

The conference agreement includes language proposed by the Senate regarding the Seward Harbor, Alaska, project; the Wrangell Harbor, Alaska, project; the Galena Bank Stabilization, Alaska, project; and the Devils Lake, North Dakota, project.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement appropriates $344,574,000 for Flood Control, Mississippi River and Tributaries, instead of $342,071,000 as proposed by the House and $346,437,000 as proposed by the Senate.

The conference agreement includes $37,790,000 for the Channel Improvement program. The amount provided includes $700,000 for the Caruthersville-Linwood, Missouri, dike; $200,000 for the Donaldson Point, Missouri, dike; and $200,000 for the Island 7 & 8, Missouri, dike.

The conferees have provided $47,885,000 for continued construction of the Mississippi River levees feature of the Mississippi River and Tributaries project, including $2,300,000 to construct the Nash Road, Missouri, relief wells; $2,325,000 for the Birds Point-New Madrid, Missouri, levee closure and box culvert; $400,000 for wave wash protection along a portion of the main line levee near Tiptonville, Tennessee; and $500,000 to continue engineering and design of the Lower Mississippi River Museum and Interpretive Site.

The conference agreement includes $3,100,000 for the Corps of Engineers to continue construction of the St. Francis Basin project in Arkansas and Missouri, including $100,000 for constructing channel stabilization measures in Stoddard and Dunklin Counties in Missouri.

The conferees have provided $20,000,000 for the Yazoo Basin, Mississippi, Delta Headwaters Project. The conferees agree that the work performed to date on this program by the Corps of Engineers and the Natural Resources Conservation Service has shown positive results in reduction of flood damages, decreased erosion and sedimentation, and improvements to the environment. Therefore, the conferees have agreed to rename the program to reflect the fact that it has now gone beyond the demonstration phase. These positive results show that continued funding for this effort is important, and that the entire program should be completed. This may well be a case where the completed program gives results that are much greater than the sum of the individual items of work. The funds included in the bill are for the Corps of Engineers to continue design, real estate acquisition, monitoring of completed work, and initiation of continuing contracts. The conferees expect the Administration to request funds for this important program until it is completed.

The conference agreement includes $9,000,000 for maintenance of Mississippi River levees. The funds provided above the budget request are to be used to provide gravel surfacing to selected locations on levee roads in Arkansas, Mississippi, and Louisiana.

The additional funds provided for maintenance of the Atchafalaya Basin, Louisiana, project are for dewatering and major lock repairs to Berwick Lock.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to continue design and real estate acquisition and initiate the pump supply contract using continuing contracts for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi, project. The conferees have agreed to include $10,000,000 for this work.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates $1,940,167,000 for Operation and Maintenance, General instead of $1,990,280,000 as proposed by the House and $1,956,182,000 as proposed by the Senate.

The amounts provided for the Black Warrior and Tombigbee Rivers and Alabama-Coosa River projects include $250,000 and $50,000 respectively, for the Corps of Engineers to perform maintenance dredging of backwater areas.

The conference agreement includes $3,174,000 for operation and maintenance of the Alabama-Coosa River project in Alabama. Of the total provided, $200,000 is for implementation of a system-wide geographic information system for the project.

The conference agreement includes $24,000,000 for operation and maintenance of the Tennessee-Tombigbee Waterway project in Alabama and Mississippi. The funds provided above the budget request should be used for additional dredging of the navigation channel.

The conferees have provided $750,000 for the Cook Inlet, Alaska, project for the Corps of Engineers to initiate a modeling study of the Upper Cook Inlet navigation channel in conjunction with the ongoing modeling study for the Anchorage Harbor project.

The conference agreement includes $1,000,000 for the Corps of Engineers to continue the San Francisco Bay Long Term Management Strategy, including $200,000 for the Oakland Harbor operation and maintenance project.

The conference agreement includes an additional $250,000 each for the Cherry Creek Lake, Chatfield Lake, and Trinidad Lake projects in Colorado. Frequent inundation of recreation areas is causing health and safety problems that require repair or replacement of facilities. It is not the conferees' intent to alter the Corps of Engineers lease and property accountability policies. It is the conferees' understanding that the State of Colorado has agreed to cost share these projects on a 50–50 basis. It is also the understanding of the conferees that the Secretary of the Army will not assume, nor share in, the future cost of the operation and maintenance of these recreation facilities.

The conference agreement includes $750,000 for the Corps of Engineers to plan for and enter into a continuing contract to implement a demonstration project for innovative dredged material treatment technology for maintenance dredging of Bridgeport Harbor, Connecticut, under authority of section 345 of the Water Resources Development Act of 2000.

The conferees have provided $4,709,000 for operation and maintenance of the Apalachicola, Chattahoochee, and Flint Rivers project in Georgia, Florida, and Alabama. The amount provided includes annual dredging of the channel, normal operation and maintenance of the George W. Andrews lock, spot dredging of shoals, continued slough mouth restorations, continued restoration efforts at Corley Slough, and other routine operation and maintenance of the project.

The conference agreement includes $175,000 for the Corps of Engineers to initiate design for a replacement for the existing breakwater at the Grand Marais Harbor, Michigan, navigation project.

The conferees have provided an additional $500,000 for the Missouri River, Rulo to the Mouth, project to continue implementation of actions related to the U.S. Fish and Wildlife Service biological opinion.

The conference agreement includes $4,200,000 for operation and maintenance of the Calumet Harbor and River project in Illinois, including $750,000 for design, engineering, and rehabilitation of the stone dock, and funds for additional maintenance dredging of the project.

The conference agreement includes $5,400,000 for operation and maintenance of the Carlyle Lake, Illinois, project, including $250,000 for rehabilitation of the Dam West Campground.

The conferees have provided $8,862,000 for operation and maintenance of the Wolf Creek Dam, Lake Cumberland, Kentucky, project. The additional funds are for the purchase and use of a skimmer boat to remove trash and debris from the lake, and to make safety and other necessary improvements to the boat ramps at Old Fall Creek, Tate Access, Camp Attrahunt, and Ramsey Point.

The conference agreement includes $11,000,000 for the J. Bennett Johnston Waterway project in Louisiana, including $1,000,000 for bank stabilization repairs and $400,000 for dredging entrances to oxbow lakes.

The conferees have provided $3,360,000 for the Clearwater Lake, Missouri, project. The additional funds are to be used for the preparation of a new Water Control Plan, the continuation of design and construction of additional high water recreational facilities, and to reduce the maintenance backlog at the project.

Within the funds provided for the Morehead City Harbor, North Carolina, project, $300,000 is for the Corps of Engineers to complete the Section 933 study concerning placement of maintenance dredging material on the beaches of Bogue Banks.

The conference agreement includes additional funds for mosquito control and continued improvements to low water lake accessibility at the Garrison Dam, Lake Sakakawea, North Dakota, project.

The conference agreement includes $7,000,000 for the Muskingum River Lakes, Ohio, project. The additional funds are for the Corps of Engineers to conduct a system operations study, develop a flood warning system, and conduct a water quality study of selective withdrawal concepts at Tappan Lake.

The additional funds provided for the Bonneville Lock and Dam project in Oregon and Washington are for continued activities related to implementation of the Federal Columbia River Power System Biological Opinion.

The conference agreement includes $9,200,000 for the Columbia River at the Mouth, Oregon and Washington, project. The funds are to be used for routine operation and maintenance of the project, additional dredging, jetty evaluation, studies of alternative dredged material disposal, and a dredged material disposal demonstration project at Benson Beach.

The additional funds provided for the Raystown Lake, Pennsylvania, project are for the Corps of Engineers to make improvements to the road leading to the Susquehanna Campground.

The additional funds provided for the Tionesta Lake, Pennsylvania, project are for the Corps of Engineers to upgrade the campground at the project.

The conference agreement includes $6,890,000 for the Cooper River, Charleston Harbor, South Carolina, project. The additional funds are for the Corps of Engineers to make a lump sum payment to the South Carolina Department of Natural Resources to perform future operations of the fish lift.

The conference agreement includes $6,732,000 for the Denison Dam, Lake Texoma, Texas, project. Pursuant to Sec. 838 of Public Law 99–662, the additional funds are for the Corps of Engineers to study the proposed reallocation of storage at the lake to water supply.

The Corps of Engineers is directed to update the Master Plans for the Ball Mountain, North Springfield, Townshend, and Union Village Reservoirs in Vermont, within the funds provided for each project.

The amount provided for the The Dalles Lock and Dam project in Washington and Oregon includes $250,000 for work needed to meet Biological Opinion requirements.

The conference agreement includes $11,500,000 for the Grays Harbor and Chehalis River, Washington, project, including funds for rehabilitation of the north jetty, the entrance channel study, and maintenance of the south jetty.

The conferees have provided additional funds for the Corps of Engineers to continue the drift and debris initiative being undertaken at Bluestone Lake, West Virginia.

The conference agreement includes $5,000,000 for the Corps of Engineers to complete the transfer of the locks on the Fox River to the State of Wisconsin.

The conference agreement includes language proposed by the House directing the Corps of Engineers to undertake recreation improvements associated with the pool raise at Waco Lake, Texas.

The conference agreement does not include language proposed by the House regarding maintenance of the Tennessee-Tombigbee Waterway.

The conference agreement includes language proposed by the House regarding improvements to recreational facilities and environmental restoration at the Hansen Dam feature of the Los Angeles County Drainage Area project in California. The conferees have provided $3,160,000 for this work. The amount provided for the Los Angeles County Drainage Area project also includes $100,000 for additional maintenance on the Compton Creek segment of the project.

The conference agreement includes language proposed by the Senate regarding operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge over the Chesapeake and Delaware Canal. The language has been amended to provide for reimbursement of those costs between October 1, 2002, and September 30, 2003.

The conference agreement includes language directing the Corps of Engineers to rehabilitate the disposal area for the Bodega Bay, California, project, perform maintenance dredging, and make dredged material available to the non-Federal sponsor.

The conferees are aware of the lead-time required to repair and rehabilitate recreational facilities for the upcoming Lewis and Clark Bicentennial Commemoration. Therefore, the Corps of Engineers may, within available funds, perform maintenance and repair of these facilities as is considered necessary to accommodate the anticipated visitor population.

FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement appropriates $15,000,000 for Flood Control and Coastal Emergencies instead of $20,000,000 as proposed by the House and $20,227,000 as proposed by the Senate.

The conferees believe that stackable, modular floodwall systems that have recently been developed could provide a significant advantage over traditional methods of fighting floods. One such system, which utilizes a series of inter-connecting plastic cells to form a flood protection barrier when filled with sand, has been successfully tested at the Waterways Experiment Station in Vicksburg, Mississippi. Accordingly, the conferees expect the Corps of Engineers to utilize funds available in the Flood Control and Coastal Emergencies account to invest in a stackable, modular floodwall system so that, like sandbags, the material can be stockpiled and be available for deployment in areas of the country prone to flooding.

REGULATORY PROGRAM

The conference agreement appropriates $139,000,000 for the Regulatory Program instead of $134,000,000 as proposed by the House and $144,252,000 as proposed by the Senate.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement appropriates $145,000,000 for the Formerly Utilized Sites Remedial Action Program instead of $150,000,000 as proposed by the House and $140,298,000 as proposed by the Senate.

The conferees provide the Corps of Engineers with reprogramming authority for FUSRAP projects of up to 15 percent of the base of the receiving project. Reprogrammed funds must be excess to the source project.

GENERAL EXPENSES

The conference agreement appropriates $155,151,000 for General Expenses instead of $154,651,000 as proposed by the House and $155,651,000 as proposed by the Senate.

The conference agreement includes language proposed by the House and the Senate which prohibits the use of funds to support a congressional affairs office within the executive office of the Chief of Engineers. This language has been included in Energy and Water Development Appropriations Acts since fiscal year 2000. The conferees continue to believe that an office of congressional affairs is unnecessary for the effective management of the Civil Works program by the Corps' headquarters, and the efficient coordination of Civil Works issues with Members of Congress and committee staff. The conferees are concerned that, despite the language that has been carried in this Act, the Office of Congressional Affairs has been involved in the exchange of Civil Works information between the headquarters and the Congress, at times causing delays in scheduling meetings and providing answers to Congressional inquiries. The conferees believe that the technical knowledge and managerial expertise needed for the Corps' headquarters to effectively address Civil Works authorization, appropriations, and policy matters resides in the Civil Works organization. Therefore, the conferees direct that the Office of Congressional Affairs not be part of the process by which information on Civil Works projects, programs, and activities is provided to the Congress.

In 1998, the Chief of Engineers issued a Command Directive transferring the oversight and management of the General Expenses account, as well as the manpower associated with this function, from the Civil Works Directorate to the Resource Management Office. The oversight and management of the Civil Works program lies solely with the Directorate of Civil Works, and it is funded through the General Expenses account to perform those duties. Both the House and Senate Committees expressed concern that the lack of oversight by the Director of Civil Works over the General Expenses account could be having a detrimental impact on the performance of the Civil Works mission. Information recently provided by the Corps of Engineers regarding management of the General Expenses account has done nothing to lessen that concern. Therefore, the Corps of Engineers is directed to adhere to the guidelines described in the Senate explanatory statement regarding the allocation of non-labor discretionary General Expenses funds.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Section 101.—The conference agreement includes language proposed by the House and the Senate which places a limit on credits and reimbursements allowable per year and per project.

Section 102.—The conference agreement includes language proposed by the House prohibiting the use of funds to support activities related to the Chicago Harbor Visitors Center.

Section 103.—The conference agreement includes language proposed by the Senate relating to the use of funds for closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland.

Section 104.—The conference agreement includes language proposed by the Senate amending section 595 (h) (1) of Public Law 106–53.

Section 105.—The conference agreement includes language proposed by the Senate amending the authorization for the St. Paul Harbor, Alaska, project.

Section 106.—The conference agreement includes language proposed by the Senate amending the authorization for the Abiquiu Dam, New Mexico, emergency gate project.

Section 107.—The conference agreement includes language proposed by the Senate amending the authorization for the Las Vegas Wash and Tributaries (Flamingo and Tropicana Washes), Nevada, flood control project.

Section 108.—The conference agreement includes language proposed by the Senate amending the authorization for the Atlantic Intracoastal Waterway Bridge Replacement at Great Bridge, Chesapeake, Virginia, project.

Section 109.—The conference agreement includes language proposed by the Senate regarding the Civil Works mission of the Corps of Engineers. The language has been amended so that it only applies to funds provided for fiscal 2003 in this or any other Act.

Section 110.—The conference agreement includes language proposed by the Senate amending the authorization for the Terminus Dam, Kaweah River, California, project.

Section 111.—The conference agreement includes language amending the authorization of the Little Calumet River Basin (Cady Marsh Ditch) Lake County, Indiana, flood control project.

Section 112.—The conference agreement includes language providing credit for environmental dredging feasibility study work done by the non-Federal sponsor on the Indiana Harbor, Indiana, navigation project.

Section 113.—The conference agreement includes language providing credit to a local sponsor for wetlands restoration work on the Brownsville Navigation Channel, Texas, navigation project.

Section 114.—The conference agreement includes language authorizing replacement of the Chickamauga Lock in Tennessee.

Section 115.—The conference agreement includes language authorizing construction of a project under provisions of section 205 of the Flood Control Act of 1948 for the James River, Green County, Missouri.

Section 116.—The conference agreement includes language amending the authorization of the Amite River and Tributaries, Louisiana, flood control project.

Section 117.—The conference agreement includes language prohibiting expenditure of funds related to a proposed landfill in Tuscarawas County, Ohio.

Section 118.—The conference agreement includes language amending the authorization of the Brunswick Harbor, Georgia, navigation project.

Section 119.—The conference agreement includes language providing credit for work done subsequent to authorization by a non-Federal sponsor on the expansion of the Savannah Harbor, Georgia, navigation project.

Section 120.—The conference agreement includes language providing credit for work done by a non-Federal sponsor for a project being constructed under section 206 of the Water Resources Development Act of 1996 at Rose Bay, Volusia County, Florida.

Section 121. The conference agreement includes language requiring amendment of the shoreline management plan of Lake Cumberland, Kentucky.

Section 122. The conference agreement includes language providing credit for work done after October 1, 2002, by a non-Federal sponsor on the Des Moines Recreational River and Greenbelt, Iowa, environmental restoration project.

Section 123. The conference agreement includes language amending the authorization of the Turkey Creek Basin, Kansas City, Missouri, and Kansas City, Kansas, flood damage reduction project.

Section 124. The conference agreement includes language imposing certain specific requirements for the design and construction of the Long Lake Environmental Restoration, Indiana, project to be constructed under section 206 of the Water Resources Development Act of 1996.

Section 125. The conference agreement includes language extending the authorization for the Missouri and Middle Mississippi Rivers Enhancement project.

Section 126. The conference agreement includes language establishing an environmental assistance program in Idaho.

Section 127. The conference agreement includes language amending provisions of section 531 of the Water Resources Development Act of 1996 affecting Southern and Eastern Kentucky.

Section 128. The conference agreement includes language providing that credit be provided a non-Federal sponsor for work done after the execution of the environmental dredging design amendment on the Ashtabula, Ohio, navigation project.

Section 129.—The conference agreement includes language making revisions to the geographic provisions of section 313 of the Water Resources Development Act of 1992, as amended.

Section 130.—The conference agreement includes language proposed by the Senate providing for corrective maintenance at the Herring Creek—Tall Timbers, Maryland, project.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the House to reduce employment at the Chicago District office of the Corps of Engineers, language proposed by the House and Senate regarding the dredge McFARLAND, and language proposed by the Senate regarding the American River Watershed project.

The conference agreement does not include language proposed by the Senate concerning private sector contracting percentages by the Corps of Engineers. It is the sense of the conferees that the Corps is meeting requirements in this area and that the Corps should continue its emphasis on ''contracting out'' work whenever that represents the best use of its limited funds.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ALABAMA				
ALABAMA RIVER BELOW CLAIBORNE LOCK AND DAM, AL	300	---	300	---
BALDWIN COUNTY SHORE PROTECTION, AL	100	---	---	---
BALDWIN COUNTY WATERSHEDS, AL	100	---	---	---
BAYOU LA BATRE, AL	50	---	50	---
BREWTON AND EAST BREWTON, AL	150	---	150	---
CAHABA RIVER WATERSHED, AL	50	---	50	---
DOG RIVER, AL	150	---	150	---
SPRING CREEK, TUSCUMBIA, AL	---	---	125	---
TUSCALOOSA COUNTY, AL	50	---	---	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	250	---	250	---
ALASKA				
AKUTAN HARBOR, AK	---	200	---	300
ALASKA REGIONAL PORTS, AK	---	---	100	---
ANCHOR POINT HARBOR, AK	50	---	100	---
ANCHORAGE HARBOR DEEPENING, AK	50	---	100	---
ANIAK HARBOR, AK	50	---	100	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK	200	---	400	---
CHENA RIVER WATERSHED, AK	50	---	50	---
COFFMAN COVE, AK	---	---	100	---
DELONG MOUNTAIN HARBOR, AK	150	---	350	---
EKLUTNA WATERSHEAD, AK	---	---	100	---
FALSE PASS HARBOR, AK	---	25	---	25
FIRE ISLAND CAUSEWAY, AK	---	---	100	---
HAINES HARBOR, AK	---	115	---	250
HOMER HARBOR, AK	---	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
KAKTOVIK BEACH EROSION, AK	---	---	100	---
KENAI RIVER BLUFF EROSION STUDY, AK	---	---	100	---
KETCHIKAN HARBOR, AK	50	---	50	---
KNIK BRIDGE CROSSING, AK	---	---	100	---
KOTZEBUE SMALL BOAT HARBOR, AK	50	---	200	---
LITTLE DIOMEDE HARBOR, AK	115	---	115	---
MATANUSKA EROSION STUDY, AK	---	---	100	---
MCGRATH BANK STABLIZATION, AK	---	---	100	---
MEKORYUK HARBOR, AK	50	---	100	---
PORT LIONS HARBOR, AK	50	---	100	---
QUINHAGAK HARBOR, AK	---	---	100	---
SAINT GEORGE NAVIGATION IMPROVEMETS, AK	75	---	300	---
SAND POINT HARBOR, AK	---	50	---	---
SHIP CREEK WATERSHED, AK	50	---	50	---
SITKA HARBOR, AK	50	---	100	---
SKAGWAY HARBOR MODIFICATION, AK	45	---	45	---
SKAGWAY RIVER FLOOD CONTROL, AK	50	---	50	---
UNALAKLEET HARBOR, AK	50	---	50	---
UNALASKA HARBOR, AK	144	---	300	---
VALDEZ HARBOR EXPANSION, AK	---	150	---	200
WHITTIER BREAKWATER, AK	50	---	100	---
AMERICAN SOMOA				
TUTUILA HARBOR, AS	100	---	100	---
ARIZONA				
AGUA FRIA RIVER, AZ	100	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NAVAJO NATION, AZ, NM & UT	100	---	400	---
PIMA COUNTY, AZ	200	---	750	---
RILLITO RIVER, PIMA COUNTY, AZ	150	---	500	---
RIO DE FLAG, FLAGSTAFF, AZ	---	150	---	---
RIO SALADO OESTE, SALT RIVER, AZ	150	---	150	---
SANTA CRUZ RIVER, GRANT RD TO FT LOWELL RD, AZ	50	---	50	---
SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, AZ	200	---	650	---
TRES RIOS, AZ	---	350	---	---
TUCSON DRAINAGE AREA, AZ	---	100	---	---
VA SHLY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ	200	---	800	---
ARKANSAS				
ARKANSAS RIVER LEVEES, AR	---	50	---	175
ARKANSAS RIVER NAVIGATION STUDY, AR & OK	910	---	1,100	---
HOT SPRINGS, AR	---	---	100	---
MAY BRANCH, FORT SMITH, AR	---	100	---	100
NORTH LITTLE ROCK, DARK HOLLOW, AR	---	200	---	300
PINE MOUNTAIN LAKE, AR	---	150	---	350
RED RIVER NAVIGATION, SW ARKANSAS, AR AND LA	---	---	583	---
SOUTHWEST ARK, LITTLE RIVER BASIN, AR	---	---	100	---
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	400	---	600	---
WHITE RIVER MINIMUM FLOWS, AR	150	---	200	---
WHITE RIVER NAVIGATION TO NEWPORT, AR	---	---	---	100
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	250	---	300	---
AMERICAN RIVER WATERSHED, CA	---	1,275	---	1,275

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ARANA GULCH WATERSHED, CA	50	---	50	---
ARROYO DE LA LAGUNA, CA	---	---	100	---
ARROYO SECO WATERSHED RESTORATION, CA	100	---	100	---
BALLONA CREEK ECOSYSTEM RESTORATION, CA	100	---	175	---
BOLINAS LAGOON ECOSYSTEM RESTORATION, CA	---	200	---	300
CALIFORNIA COSTAL SEDIMENT MASTER PLAN, CA	---	---	100	---
CITY OF INGLEWOOD, CA	---	---	200	---
CITY OF NORWALK, CA	---	---	---	100
CITY OF SAN BERNARDINO, CA	---	---	250	---
CITY OF SANTA CLARITA, CA	100	---	100	---
COAST OF CALIFORNIA, SOUTH COAST REGION, LA COUNTY, CA	---	---	350	---
COYOTE DAM, CA	50	---	100	---
DESERT HOT SPRINGS, CA	---	---	---	200
EASTERN MUNICIPAL WATER DISTRICT, CA	---	---	---	150
ESTUDILLO CANAL, CA	---	---	100	---
FOLSOM DAM, CA	---	---	100	---
GRAYSON AND MURDERER'S CREEKS, CA	200	---	200	---
HUNTINGTON HARBOR DREDGING, CA	---	---	100	---
LAGUNA CREEK WATERSHED, CA	---	---	100	---
LAGUNA DE SANTA ROSA, CA	200	---	200	---
LAKE ELSINORE ENVIRONMENTAL RESTORATION, CA	100	---	100	---
LLAGAS CREEK, CA	---	225	---	325
LOS ANGELES COUNTY, CA	150	---	225	---
LOS ANGELES COUNTY DRAINAGE AREA (CORNFIELDS), CA	---	---	100	---
LOWER CACHE CREEK, YOLO COUNTY, WOODLAND AND VICINITY,	---	200	---	250
LOWER MISSION CREEK, CA	---	200	---	500
MALIBU CREEK WATERSHED, CA	200	---	200	---
MARIN COUNTY SHORELINE, SAN CLEMENTE CREEK, CA	25	---	25	---
MARINA DEL REY AND BALLONA CREEK, CA	170	---	275	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MATILIJA DAM, CA	150	---	200	---
MIDDLE CREEK, CA	---	50	---	50
MORRO BAY ESTUARY, CA	200	---	250	---
MUGU LAGOON, CA	100	---	250	---
N CA STREAMS, DRY CREEK, MIDDLETOWN, CA	200	---	200	---
N CA STREAMS, LOWER SACRAMENTO RVR RIPARIAN REVEGETATI	100	---	100	---
NAPA RIVER, SALT MARSH RESTORATION, CA	100	---	900	100
NAPA VALLEY WATERSHED MANAGEMENT, CA	150	---	150	---
NEWPORT BAY (LA-3 SITE DESIGNATION), CA	---	---	300	---
NEWPORT BAY HARBOR, CA	---	100	---	---
NEWPORT BAY/SAN DIEGO CREEK WATERSHED, CA	200	---	250	---
OCEAN BEACH, CA	50	---	50	---
ORANGE COUNTY, SANTA ANA RIVER BASIN, CA	200	---	200	---
ORANGE COUNTY COAST BEACH EROSION, CA	---	---	250	---
ORANGE COUNTY SAMP, CA	---	---	300	---
PAJARO RIVER AT WATSONVILLE, CA	---	275	---	500
PAJARO RIVER BASIN STUDY, CA	100	---	100	---
PINE FLAT DAM, FISH AND WILDLIFE HABITAT RESTORATION,	---	200	---	200
PORT OF STOCKTON, CA	100	---	---	---
POSO CREEK, CA	100	---	200	---
PRADO BASIN ENVIRONMENTAL RESTORATION, CA	50	---	50	---
RIVERSIDE COUNTY SAMP, CA	---	---	1,000	---
ROCK CREEK AND KEEFER SLOUGH, CA	---	25	---	25
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA	200	---	200	---
SACRAMENTO - SAN JOAQUIN DELTA, CA	100	---	100	---
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY,	2,973	---	2,973	100
SAN BERNARDINO COUNTY, CA	50	---	200	---
SAN CLEMENTE SHORELINE, CA	100	---	398	---
SAN DIEGO COUNTY SAMP, CA	---	---	600	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
SAN DIEGO COUNTY SHORELINE, CA	---	---	500	---
SAN FRANCISCO BAY, CA	225	---	300	---
SAN JACINTO RIVER, CA	100	---	250	---
SAN JOAQUIN RB, W STANISLAUS, DEL PUERTO & SALADO CREE	100	---	150	---
SAN JOAQUIN RB, WEST STANISLAUS COUNTY, ORESTIMBA CREE	---	100	---	100
SAN JOAQUIN RIVER BASIN, ARROYO PASAJERO, CA	100	---	150	---
SAN JOAQUIN RIVER BASIN, CONSUMNES & MOKELUMNE RIVERS,	100	---	100	---
SAN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA	100	---	200	---
SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	100	---	100	---
SAN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA	100	---	100	---
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA	100	---	200	---
SAN PABLO BAY WATERSHED, CA	240	---	240	---
SANTA ANA RIVER AND TRIBUTARIES, BIG BEAR LAKE, CA	100	---	300	---
SANTA CLARA RIVER, CITY OF SANTA CLARITA, CA	100	---	200	---
SANTA CRUZ PORT, CA	50	---	50	---
SANTA ROSA CREEK WATERSHED, CA	260	---	260	---
SANTA YNEZ RIVER, CA	50	---	50	---
SOLANA-ENCINITAS, CA	---	---	500	---
SONOMA CREEK AND TRIBUTARIES, CA	150	---	150	---
STRONG AND CHICKEN RANCH SLOUGHS, CA	100	---	100	---
SUTTER COUNTY, CA	677	---	677	---
TAHOE BASIN, CA & NV	690	---	1,500	---
TIJUANA RIVER VALLEY, CA	200	---	300	---
TUJUNGA WASH RESTORATION, CA	---	---	100	---
UPPER GUADALUPE RIVER, CA	---	---	---	200
UPPER PENITENCIA CREEK, CA	559	---	559	---
UPPER SANTA ANA RIVER WATERSHED, CA	150	---	150	---
VENTURA AND SANTA BARBARA COUNTY SHORELINE, CA	100	---	200	---
VENTURA HARBOR SAND BYPASS, CA	150	---	150	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
WESTMINSTER, COYOTE AND CARBON CANYON CREEK WATERSHEDS	50	---	50	---
WESTMINSTER, EAST GARDEN GROVE, CA	200	---	300	---
WHITE RIVER AND DEER CREEK, CA	100	---	150	---
WHITEWATER RIVER BASIN, CA	---	---	---	350
WILDCAT AND SAN PABLO CREEKS, CA	50	---	50	---
YUBA RIVER BASIN, CA	---	250	---	---
COLORADO				
ADAMS COUNTY, CO	---	---	100	---
ARAPAHOE COUNTY, CO	---	---	100	---
CACHE-LA POUDRE, CO	---	---	100	---
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	200	---	200	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	330	---	330	---
ZUNI AND SUN VALLEY REACHES, SOUTH PLATTE RIVER, CO	---	200	---	---
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS				
ROTA HARBOR MODIFICATIONS, CNMI	25	---	25	---
TINIAN HARBOR MODIFICATIONS, CNMI	50	---	50	---
DELAWARE				
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE	---	100	---	---
MID-DELAWARE RIVER BASIN, DE, NJ & PA	---	---	100	---
FLORIDA				
BISCAYNE BAY, FL	---	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
DAYTONA BEACH SHORES, FL	---	---	100	---
FLAGLER COUNTY, FL	---	---	100	---
HILLSBOROUGH RIVER, FL	280	---	280	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL	126	---	126	---
LIDO KEY, SARASOTA COUNTY FL	---	---	---	200
PORT EVERGLADES HARBOR, FL	---	100	---	100
ST JOHNS COUNTY BEACHES, FL	---	---	100	---
ST LUCIE COUNTY BEACHES, FL	---	---	100	---
ST PETERSBURG HARBOR, FL	---	100	---	500
WALTON COUNTY, FL	---	---	100	---
WITHLACOOCHEE RIVER, FL	271	---	271	---
GEORGIA				
ALLATOONA LAKE, GA	186	---	300	---
ARABIA MOUNTAIN, GA	50	---	50	---
AUGUSTA, GA	230	---	230	---
DEEP AND CAMP CREEKS WATERSHED STUDY, GA	---	---	100	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	100	---	100	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	150	---	150	---
METRO ATLANTA WATERSHED, GA	50	---	50	---
NEW SAVANNAH BLUFF LOCK AND DAM, GA & SC	---	50	---	176
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	100	---	100	---
SAVANNAH HARBOR ESTUARY RESTORATION STUDY, GA	---	---	100	---
SAVANNAH HARBOR EXPANSION, GA AND SC	---	428	---	500
SAVANNAH HARBOR SEDIMENT CONTROL WORKS, GA & SC	50	---	50	---
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC	120	---	120	---
UTOY, SANDY AND PROCTOR CREEKS, GA	150	---	150	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
GUAM				
HAGATNA RIVER FLOOD CONTROL	---	---	100	---
HAWAII				
ALA WAI CANAL, OAHU, HI	135	---	135	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	---	50	---	50
KAHUKU, HI	100	---	100	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI	142	---	142	---
KIHEI AREA EROSION, HI	50	---	100	---
NAWILIWILI HARBOR MODIFICATION, KAUAI, HI	50	---	250	---
WAIKIKI EROSION CONTROL, HI	---	48	---	250
WAILUPE STREAM FLOOD CONTROL STUDY, OAHU, HI	---	50	---	100
IDAHO				
BOISE RIVER, BOISE, ID	50	---	50	---
LITTLE WOOD RIVER, GOODING, ID	145	---	145	---
ILLINOIS				
ALEXANDER AND PULASKI COUNTIES, IL	147	---	147	---
DES PLAINES RIVER, IL (PHASE II)	335	---	400	---
ILLINOIS RIVER AT BEARDSTOWN, IL	---	---	100	---
ILLINOIS RIVER BASIN RESTORATION, IL	1,051	---	951	---
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	365	---	500	---
KEITH CREEK, ROCKFORD, IL	---	---	100	---
PEORIA RIVERFRONT DEVELOPMENT, IL	---	237	---	350

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ROCK RIVER, IL & WI	182	---	225	---
UPPER MISS & ILLINOIS NAV STUDY, IL, IA, MN, MO & WI	1,000	---	3,000	---
UPPER MISS RVR COMPREHENSIVE PLAN, IL, IA, MO, MN & WI	1,814	---	1,814	---
UPPER MISS RVR SYS FLOW FREQUENCY STUDY, IL, IA, MN, M	463	---	600	---
WAUKEGAN HARBOR, IL	---	200	---	200
WOOD RIVER LEVEE, IL	---	130	---	130
INDIANA				
COLUMBUS WATERFRONT STUDY, IN	---	---	100	---
FORT WAYNE, IN	---	---	---	100
INDIANA HARBOR, IN	248	---	500	---
INDIANAPOLIS CENTRAL WATERFRONT, IN	---	---	150	---
JOHN T MYERS LOCKS AND DAM, IN & KY	---	1,346	---	1,346
VINCENNES WATERFROUNT STUDY, IN	---	---	100	---
IOWA				
DAVENPORT, IA	---	61	---	200
DES MOINES AND RACCOON RIVERS, IA	51	---	225	---
FORT DODGE, IA	87	---	100	---
LOWER DES MOINES, IA & MO	89	---	125	---
KANSAS				
GRAND (NEOSHO) RIVER BASIN STUDY KS AND OK	---	---	100	---
MANHATTAN, KS	---	---	100	---
TOPEKA, KS	125	---	125	---
TURKEY CREEK BASIN, KS & MO	---	250	---	400

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
UPPER TURKEY CREEK, KS	125	---	200	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	110	---	200	---
KENTUCKY				
COVINGTON WATERFROUNT STUDY, KY	---	---	200	---
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH	---	1,302	---	1,800
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	225	---	225	---
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY	187	---	187	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	140	---	250	---
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	3,000	---	2,500	---
WILLIAMSTOWN LAKE, KY	---	---	100	---
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	150	---	300	---
AMITE RIVER AND TRIBUTARIES, BAYOU MANCHAC, LA	100	---	200	---
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	100	---	450	---
BARATARIA BASIN BARRIER SHORELINE RESTORATION, LA	---	100	---	100
BARATARIA BASIN MARSH CREATION AND RESTORATION, LA	---	100	---	100
BAYOU SORREL LOCK, LA	---	110	---	350
CALCASIEU LOCK, LA	150	---	300	---
CALCASIEU RIVER BASIN, LA	150	---	300	---
CALCASIEU RIVER PASS SHIP CHANNEL ENLARGEMENT, LA	---	---	100	---
GIWW ECOSYSTEM RESTORATION, LA	100	---	250	---
HURRICANE PROTECTION, LA	125	---	250	---
JEFFERSON PARISH, LA	---	25	---	25
LAFAYETTE PARISH, LA	---	125	---	125
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	585	---	1,250	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ORLEANS PARISH, LA	---	25	---	25
OUACHITA AND BLACK RIVERS, LA & AR	37	---	37	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA	100	---	200	---
PORT OF IBERIA, LA	185	---	250	---
ST BERNARD PARISH URBAN FLOOD CONTROL, LA	150	---	200	---
ST CHARLES PARISH URBAN FLOOD CONTROL, LA	100	---	200	---
ST. JOHN THE BAPTIST PARISH, LA	100	---	200	---
WEST BATON ROUGE PARISH, LA	---	---	---	300
WEST SHORE, LAKE PONTCHARTRAIN, LA	---	100	---	200
MARYLAND				
ANACOSTIA RIVER, PG COUNTY LEVEE, MD & DC	248	---	248	---
BALTIMORE METRO, GWYNNS FALLS, MD	---	50	---	250
CHESAPEAKE BAY SHORELINE EROSION, MD, VA & DE	350	---	450	---
EASTERN SHORE, MD	350	---	650	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S, MD	100	---	100	---
MIDDLE POTOMAC RIVER BASIN, MD	350	---	450	---
SMITH ISLAND ENVIRONMENTAL RESTORATION, MD	---	249	---	249
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	140	---	140	---
BOSTON HARBOR (45-FOOT CHANNEL), MA	362	---	362	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA	80	---	80	---
MUDDY RIVER, BROOKLINE AND BOSTON, MA	---	322	---	---
SOMERSET AND SEARSBURG DAMS, DEERFIELD RIVER, MA & VT	62	---	62	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MICHIGAN				
DETROIT RIVER ENVIRONMENTAL DREDGING, MI	---	---	150	---
DETROIT RIVER MASTER PLAN, MI	---	---	150	---
DETROIT RIVER SEAWALLS, MI	---	---	---	150
GREAT LAKES FISHERY & ECOSYSTEM RESTORATION	---	---	174	---
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	375	---	1,500	---
JOHN GLENN GREAT LAKES STRATEGIC PLAN, MI	---	---	100	---
LANSING, MI	---	---	100	---
ROUGE RIVER ENVIRONMENTAL DREDGING, MI	---	---	100	---
MUSKEGON LAKE ENVIRONMENTAL DREDGING, MI	---	---	100	---
ROUGE RIVER WATERSHED MANAGEMENT, MI	---	---	100	---
ST CLAIR RIVER AND LAKE ST CLAIR, MI	---	---	124	---
WHITE LAKE ENVIRONMENTAL DREDGING, MI	---	---	100	---
MINNESOTA				
MINNESOTA DAM SAFETY, MN	222	---	222	---
MINNESOTA RIVER BASIN, MN	---	---	100	---
RED RIVER OF THE NORTH BASIN, MN, ND, SD & MANITOBA, C	1,078	---	1,478	---
UPPER MISS RIVER WATERSHED MGMT, LAKE ITASCA TO L/D 2,	400	---	400	---
MISSISSIPPI				
PEARL RIVER WATERSHED, MS	363	---	500	---
MISSOURI				
CHESTERFIELD, MO	---	385	---	600

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
KANSAS CITYS, MO & KS	400	---	600	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	100	---	331	---
RIVER DES PERES, MO	---	130	---	130
SPRINGFIELD, MO	140	---	370	---
ST LOUIS AREA MISSISSIPPI RIVERFRONT, MO & IL	185	---	185	---
ST LOUIS HARBOR, MO & IL	---	73	---	73
ST. LOUIS FLOOD PROTECTION, MO	---	150	---	150
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	100	---	200
WEARS CREEK, JEFFERSON CITY, MO	57	---	57	---
MONTANA				
YELLOWSTONE RIVER CORRIDOR, MT	300	---	300	---
NEBRASKA				
LOWER PLATTE RIVER AND TRIBUTARIES, NE	139	---	139	---
SAND CREEK WATERSHED, WAHOO, NE	---	130	---	---
WESTERN SARPY AND CLEAR CREEK, NE	---	180	---	---
NEVADA				
LAS VEGAS WASH, NORTH LAS VEGAS, NV	100	---	500	---
LOWER LAS VEGAS WASH WETLANDS, NV	100	---	300	---
TRUCKEE MEADOWS, NV	---	650	---	1,000
WALKER RIVER BASIN, NV	25	---	25	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEW HAMPSHIRE				
CONNECTICUT RIVER ECOSYSTEM RESTORATION, NH & VT.....	25	---	25	---
MERRIMACK RIVER BASIN, NH.....	350	---	400	---
NEW JERSEY				
BARNEGAT BAY, NJ.....	---	---	---	100
DELAWARE RIVER BASIN COMPREHENSIVE, NJ, NY, DE & PA...	100	---	300	---
GREAT EGG INLET TO TOWNSEND INLET, NJ.....	---	300	---	350
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ..	---	---	100	---
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ.....	206	---	500	---
LOWER PASSAIC RIVER, NJ.....	30	---	30	---
MANASQUAN INLET TO BARNEGAT INLET, NJ.....	---	200	---	300
NEW JERSEY SHORE PROTECTION, HEREFORD TO CAPE MAY INLE	100	---	200	---
NEW JERSEY SHORELINE ALTERNATIVE LONG-TERM NOURISHMENT	100	---	200	---
NJIWW ENVIRONMENTAL RESTORATION, NJ.....	---	---	---	100
PASSAIC RIVER, HARRISON, NJ.....	---	270	---	270
PECKMAN RIVER AND TRIBUTARIES, NJ.....	50	---	150	---
RAHWAY RIVER BASIN, NJ.....	100	---	100	---
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ.....	100	---	150	---
RARITAN BAY AND SANDY HOOK BAY, KEYPORT, NJ.....	100	---	150	---
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ.....	200	---	200	---
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ.....	---	100	---	200
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ.....	---	100	---	100
SHREWSBURY RIVER AND TRIBUTARIES, NJ.....	100	---	100	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ.....	---	100	---	150
STONY BROOK, MILLSTONE RIVER BASIN, NJ.....	100	---	150	---
UPPER PASSAIC RIVER AND TRIBUTARIES, NJ.....	---	30	---	30

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
UPPER ROCKAWAY RIVER, NJ	300	---	400	---
WOODBRIDGE RIVER BASIN, NJ	100	---	100	---
NEW MEXICO				
EAST MESA, LAS CRUCES, NM	---	---	100	---
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM	50	---	50	---
MIDDLE RIO GRANDE BOSQUE, NM	100	---	350	---
RIO GRANDE BASIN, NM, CO & TX	300	---	300	---
SANTA FE, NM	205	---	205	---
SW VALLEY FLOOD DAMAGE REDUCTION STUDY, ALBUQUERQUE, N	---	250	---	450
NEW YORK				
AUSABLE RIVER BASIN, ESSEX AND CLINTON COUNTIES, NY	50	---	100	---
BOQUET RIVER AND TRIBUTARIES, ESSEX COUNTY, NY	50	---	100	---
BRONX RIVER BASIN, NY	30	---	100	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY	---	---	100	---
EAST RIVER SEAWALL, QUEENS COUNTY, NY	---	---	100	---
FLUSHING BAY AND CREEK, NY	258	---	258	---
FREEPORT CREEK, VILLAGE OF FREEPORT, NY	100	---	100	---
HUDSON - RARITAN ESTUARY, GOWANUS CANAL, NY & NJ	360	---	360	---
HUDSON - RARITAN ESTUARY, NY & NJ	676	---	1,800	---
HUDSON RIVER HABITAT RESTORATION, NY	---	50	---	50
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, ARVERNE, NY	50	---	50	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	200	---	200	---
LAKE MONTAUK HARBOR, NY	30	---	30	---
LINDENHURST, NY	50	---	50	---
NEW YORK HARBOR ANCHORAGE AREAS, NY	364	---	364	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NORTH SHORE OF LONG ISLAND, ASHAROKEN, NY	200	---	200	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY	250	---	300	---
ONONDAGA LAKE, NY	300	---	1,000	---
SAW MILL RIVER AND TRIBUTARIES, NY	50	---	50	---
SOUTH SHORE OF LONG ISLAND, NY	50	---	50	---
SOUTH SHORE OF STATEN ISLAND, NY	200	---	250	---
SUSQUEHANNA RIVER ENVIRON RESTOR AND LOW FLOW MGMT	---	---	200	---
UPPER DELAWARE RIVER WATERSHED, NY	146	---	250	---
UPPER SUSQUEHANNA RIVER BASIN, NY	---	---	450	---
UPPER SUSQUEHANNA RIVER BASIN ENVIRON RESTORATION, NY	161	---	300	---
NORTH CAROLINA				
BOGUE BANKS, NC	300	---	350	---
CATAWBA RIVER WATERSHED, NC	---	---	100	---
CURRITUCK SOUND, NC	200	---	300	---
DARE COUNTY BEACHES, HATTERAS AND ORACOKE ISLANDS, NC	150	---	350	---
MANTEO (SHALLOWBAG) BAY, NC	---	---	---	150
NEUSE RIVER BASIN, NC	100	---	150	---
SURF CITY AND NORTH TOPSAIL BEACH, NC	173	---	250	---
OHIO				
ARCOLA CREEK WATERSHED, MADISON, OH	---	---	100	---
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH	---	160	---	500
BELPRE, OH	---	---	---	300
BUTLER COUNTY, OH	243	---	243	---
DUCK CREEK WATERSHED, OH	---	---	100	---
OHIO RIVERFRONT STUDY, CINCINNATI, OH	---	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
COLUMBUS METROPOLITAN AREA, OH	100	---	100	---
GULLEY BROOK, WILLOUGHBY, OH	---	---	100	---
HOCKING RIVER BASIN ENV RESTORATION, MONDAY CREEK, OH.	205	---	205	---
HOCKING RIVER BASIN ENV RESTORATION, SUNDAY CREEK, OH.	225	---	225	---
MAHONING RIVER ENVIRONMENTAL DREDGING, OH & PA	40	---	800	---
MUSKINGUM BASIN SYSTEM STUDY, OH	225	---	225	---
POLK RUN CREEK, OH	---	---	100	---
WESTERN LAKE ERIE BASIN, OH	---	---	150	---
WHEELING CREEK, OH	---	---	100	---
WOODTICK PENINSULA AND TOLEDO HARBOR, OH	---	---	100	---
OKLAHOMA				
GRAND LAKE COMPREHENSIVE STUDY, OK	---	---	200	---
MIAMI AND VICINITY, OK	380	---	380	---
MOUNTAIN FORK WATERSHEAD STUDY, OK	---	---	100	---
OOLOGAH LAKE WATERSHED, OK & KS	310	---	450	---
RED RIVER WATERWAY, OK, TX & AR	50	---	50	---
SOUTHEAST OKLAHOMA WATER RESOURCE STUDY, OK	100	---	100	---
SPAVINAW CREEK, OK	---	---	100	---
WASHITA RIVER BASIN, OK	---	---	100	---
WISTER LAKE WATERSHED, OK	50	---	100	---
OREGON				
AMAZON CREEK, OR	100	---	100	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	300	---	300	---
TILLAMOOK BAY AND ESTUARY ECOSYSTEM RESTORATION, OR	266	---	266	---
WALLA WALLA RIVER WATERSHED, OR & WA	390	---	650	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
WILLAMETTE RIVER BASIN REVIEW, OR	100	---	100	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	249	---	249	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	150	---	150	---
PENNSYLVANIA				
BLOOMSBURG, PA	204	---	204	---
CHRISTINA RIVER WATERSHED, PA, DE & MD	100	---	250	---
SCHUYLKILL RIVER, WISSAHICKON, PA	100	---	200	---
SCHUYLKILL RIVER BASIN ESTAURINE, PA	---	---	200	---
STREETS RUN WATERSHED, PA	---	---	100	---
SUSQUEHANNA AND DELAWARE RIVER BASINS, PA	---	---	100	---
TUNUNGUANT CREEK, PA	---	---	100	---
UNAMI CREEK, PA	---	---	100	---
UPPER OHIO RIVER NAVIGATION SYSTEM STUDY, PA	---	---	800	---
PUERTO RICO				
RIO NIGUA AT SALINAS, PR	---	147	---	147
RIO YAGUEZ AT MAYAGUEZ, PR	---	---	100	---
RHODE ISLAND				
QUONSET DAVISVILLE PORT, RI	25	---	---	---
RHODE ISLAND ECOSYSTEM RESTORATION, RI	25	---	25	---
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC	475	---	575	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
BROAD RIVER BASIN, SC	103	---	200	---
CHARLESTON HARBOR, SC	135	---	135	---
PAWLEYS ISLAND, SC	---	100	---	100
REEDY RIVER, SC	50	---	50	---
SANTEE DELTA ENVIRONMENTAL RESTORATION, SC	50	---	50	---
WACCAMAW RIVER, SC	25	---	25	---
SOUTH DAKOTA				
JAMES RIVER, SD	---	---	750	---
NIOBRARA RIVER AND MISSOURI RIVER, SD	100	---	100	---
WATERTOWN, SD	---	---	750	---
TENNESSEE				
CHICKAMAUGA LOCK, TENNESSEE RIVER,TN	---	252	---	4,000
DAVIDSON COUNTY, TN	240	---	240	---
FRENCH BROAD WATERSHED, TN	205	---	264	---
LICK BRANCH WATERSHED, TN	---	---	100	---
WASHINGTON DEE CEE BASIN, TN	---	---	100	---
TEXAS				
BOIS D'ARC CREEK, BONHAM, TX	100	---	100	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	160	---	400	---
BUFFALO BAYOU AND TRIBUTARIES (MAIN STEM), TX	---	---	---	100
CEDAR BAYOU, TX	---	310	---	400
COLONIAS-LWR RIO GRANDE BASIN ALONG TX & MEXICO BORDER	---	100	---	350
CORPUS CHRISTI SHIP CHANNEL, TX	410	---	410	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
FREEPORT HARBOR, TX	200	---	350	---
FREEPORT HURRICANE PROTECTION LEVEE, TX	100	---	200	---
GIWW MODIFICATIONS, TX	225	---	225	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	225	---	225	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX	---	275	---	275
GIWW, MATAGORDA BAY, TX	---	480	---	500
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	228	---	228	---
GIWW, VICINITY OF PORT ISABEL, TX	---	---	100	---
GREENS BAYOU, HOUSTON, TX	---	150	---	350
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	300	---	750	---
HARRIS GULLY, HOUSTON, TX	---	---	100	---
LOWER COLORADO RIVER BASIN, TX	600	---	1,500	---
LOWER SABINE RIVER, TX	---	---	100	---
MATAGORDA SHIP CHANNEL (PORT LAVACA), TX	---	---	500	---
MIDDLE BRAZOS RIVER, TX	50	---	150	---
MUSTANG BAYOU, BRAZORIA COUNTY, TX	137	---	137	---
NORTH BOSQUE RIVER, TX	---	50	---	50
NORTHWEST EL PASO, TX	228	---	228	---
NUECES RIVER AND TRIBUTARIES, TX	87	---	87	---
RAYMONDVILLE DRAIN, TX	---	250	---	400
RESACAS AT BROWNSVILLE, TX	200	---	200	---
RIO GRANDE BASIN, TX	---	---	200	---
RIVERSIDE OXBOW, UPPER TRINITY BASIN, TX	---	---	---	300
SABINE - NECHES WATERWAY, TX	400	---	450	---
SABINE PASS TO GALVESTON BAY, TX	250	---	250	---
SOUTH MAIN CHANNEL, TX	---	200	---	350
SPARKS ARROYO COLONIA, EL PASO COUNTY, TX	137	---	137	---
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX	50	---	50	---
TEXAS CITY CHANNEL (50-FOOT PROJECT), TX	---	200	---	600

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
UPPER TRINITY RIVER BASIN, TX	433	---	1,800	---
UTAH				
PARK CITY WATER SUPPLY PROJECT, UT	---	---	500	---
PROVO AND VICINITY, UT	25	---	25	---
VIRGINIA				
AIWW, BRIDGES AT DEEP CREEK, VA	---	275	---	275
CLINCH RIVER WATER PROJECT, VA	---	---	100	---
DISMAL SWAMP, VA	---	---	100	---
ELIZABETH RIVER, HAMPTON ROADS, VA	---	471	---	471
FOURMILE RUN, VA	37	---	200	---
JAMES RIVER CHANNEL, VA	---	109	---	109
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	300	---	350	---
LOWER RAPPAHANNOCK RIVER BASIN, VA	157	---	157	---
LYNNHAVEN RIVER BASIN, VA	37	---	137	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	350	---	350	---
PHILPOTT LAKE (SECTION 216), VA	---	---	100	---
POWELL RIVER WATERSHED, VA	100	---	100	---
WASHINGTON				
BELLINGHAM BAY, WA	50	---	50	---
CENTRALIA, WA	---	500	---	1,000
CHEHALIS RIVER BASIN, WA	250	---	350	---
COMMENCEMENT BAY AND HYLEBOS WATERWAY, PIERCE COUNTY,	200	---	450	---
DUWAMISH AND GREEN RIVER BASIN, WA	---	265	---	500

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ELLIOT BAY SEAWALL, WA	---	---	100	---
LAKE WASHINGTON SHIP CANAL, WA	450	---	450	---
PUGET SOUND CONFINED DISPOSAL SITES, WA	50	---	50	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	250	---	700	---
SKAGIT RIVER, WA	450	---	800	---
STILLAGUAMISH RIVER BASIN, WA	---	100	---	100
WHITE RIVER FLOOD CONTROL AND ECOSYSTEM RESTORATION, W	200	---	200	---
WEST VIRGINIA				
ERICKSON/WOOD COUNTY PORT STUDY, WV	---	---	---	250
ISLAND CREEK AT LOGAN, WV	---	697	---	697
LITTLE KANAWHA RIVER, WV	---	---	100	---
NEW RIVER BASIN, WV, NC & VA	235	---	235	---
PARKERSBURG/VIENNA RIVERFRONT PARK, WV	---	---	---	250
SOUTH CHARLESTON, WV	---	---	200	---
WISCONSIN				
BARABOO RIVER, WI	350	---	350	---
FOX RIVER, WI	40	---	40	---
FOX RIVER ENVIRONMENTAL DREDGING, WI	---	---	150	---
WYOMING				
JACKSON HOLE RESTORATION, WY	---	108	---	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	2,500	---	4,500	---
ENVIRONMENTAL DATA STUDIES	100	---	100	---
FLOOD DAMAGE DATA	300	---	300	---
FLOOD PLAIN MANAGEMENT SERVICES	7,500	---	8,000	---
GREAT LAKES REMEDIAL ACTION PROGRAM (SECTION 401)	---	---	1,500	---
HYDROLOGIC STUDIES	400	---	400	---
INTERNATIONAL WATER STUDIES	400	---	400	---
NATIONAL SHORELINE	500	---	500	---
OTHER COORDINATION PROGRAMS	4,850	---	5,250	---
PLANNING ASSISTANCE TO STATES	6,000	---	6,500	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	300	---	300	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	200	---	200	---
RESEARCH AND DEVELOPMENT	22,000	---	24,500	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	100	---	100	---
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	500	---	500	---
TRANSPORTATION SYSTEMS	500	---	500	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	450	---	450	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-21,430	---	-55,300	---
ADJUSTMENT FOR ACTUAL RETIREMENT ACCRUALS	-517	---	---	---
TOTAL, GENERAL INVESTIGATIONS	83,488	18,995	103,441	31,578

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
DUCK RIVER, CULLMAN, AL	---	500
MOBILE HARBOR, AL	200	2,000
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	16,473	16,473
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	2,852	2,857
ALASKA		
BETHEL BANK STABILIZATION, AK	---	3,000
CHIGNIK HARBOR, AK	3,120	3,120
DILLINGHAM BANK STABILIZATION, AK	---	2,000
FALSE PASS HARBOR, AK	---	500
GALENA, AK	---	3,000
KAKE, AK	---	2,000
NOME HARBOR IMPROVEMENTS, AK	4,500	4,500
ST PAUL HARBOR, AK	5,880	5,880
SAND POINT, AK	---	500
SEWARD HARBOR, AK	---	3,500
WRANGELL HARBOR, AK	5,000	5,000
ARIZONA		
RIO DE FLAG, FLAGSTAFF, AZ	---	1,000
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ	14,300	19,000
TRES RIOS, AZ	---	1,000
TUCSON DRAINAGE AREA, AZ	---	2,000
ARKANSAS		
FOURCHE BAYOU BASIN, AR	---	500
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	3,360	3,360
MONTGOMERY POINT LOCK AND DAM, AR	20,000	23,000
OZARK POWERHOUSE, AR (MAJOR REHABILITATION)	---	500
RED RIVER BELOW DENISON DAM, AR, LA, TX	---	2,500
RED RIVER EMERGENCY BANK PROTECTION, AR, LA	---	4,000
UNION COUNTY, AR	---	500
CALIFORNIA		
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), C	4,900	4,900
AMERICAN RIVER WATERSHED, CA	22,280	22,280
CITY OF SANTA CLARITA, CA	---	1,500
CORTE MADERA CREEK, CA	100	100
COYOTE AND BERRYESSA CREEKS, CA	---	750
FARMINGTON GROUNDWATER RECHARGE DEMO PROGRAM, CA	---	1,000
GUADALUPE RIVER, CA	5,000	8,000
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	3,900	5,000
HARBOR/SOUTH BAYWATER RECYCLING, CA	---	6,000
IMPERIAL BEACH, SILVER STRAND SHORELINE, CA	200	600
KAWEAH RIVER, CA	10,151	11,000
LOS ANGELES HARBOR, CA	---	12,000
LOWER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,680	1,680
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	5,900	5,900
MERCED COUNTY STREAMS, CA	500	500
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	5,172	5,172
MURIETTA CREEK, CA	---	1,000
NAPA RIVER, CA	5,000	9,000
NEWPORT BAY HARBOR, CA	---	972
NORTH VALLEY REGIONAL WATER INFRASTRUCTURE, CA	---	1,000
OAKLAND HARBOR (50 FOOT PROJECT), CA	5,000	12,000
PETALUMA RIVER, CA	4,000	6,000
SACRAMENTO AREA, CA	---	2,000
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	2,600	2,600
SACRAMENTO RIVER DEEPWATER SHIP CHANNEL, CA	250	250
SACRAMENTO RIVER, GLENN-COLUSA IRRIGATION DISTRICT, CA	806	806

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SAN FRANCISCO BAY TO STOCKTON, CA	---	1,800
SAN LORENZO RIVER, CA	2,751	2,751
SAN RAMON VALLEY RECYCLED WATER PROJECT, CA	---	300
SANTA ANA RIVER MAINSTEM, CA	29,700	35,000
SANTA BARBARA HARBOR, CA	100	100
SOUTH PERRIS, CA	---	1,000
SOUTH SACRAMENTO COUNTY STREAMS, CA	2,000	2,000
STOCKTON METROPOLITIAN FLOOD CONTROL REIMBURSEMENT, CA	1,000	4,000
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	1,000	1,000
SURFSIDE - SUNSET - NEWPORT BEACH, CA	4,300	4,300
TULE RIVER, CA	---	2,000
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	3,510	3,510
YUBA RIVER BASIN, CA	---	500
DELAWARE		
DELAWARE BAY COASTLINE, PORT MAHON, DE	---	500
DELAWARE BAY COASTLINE, ROOSEVELT INLET TO LEWES BEACH	500	1,500
DELAWARE COAST PROTECTION, DE	294	294
DELAWARE COAST, CAPE HENLOPEN TO FENWICK ISLAND, DE	---	500
DELAWARE COAST, REHOBOTH BEACH TO DEWEY BEACH, DE	1,000	500
FLORIDA		
BREVARD COUNTY, FL	---	2,000
BROWARD COUNTY (REIMBURSEMENT), FL	---	2,000
CANAVERAL HARBOR, FL	3,600	3,600
CENTRAL AND SOUTHERN FLORIDA, FL	108,202	90,000
DADE COUNTY, FL	---	3,000
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	19,526	19,526
FORT PIERCE BEACH, FL	---	3,000
JACKSONVILLE HARBOR, FL	4,028	4,028
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	1,742	1,742
KISSIMMEE RIVER, FL	23,727	23,727
LEE COUNTY (REIMBURSEMENT), FL	---	3,000
MANATEE COUNTY, FL	---	3,500
MANATEE HARBOR, FL	---	4,000
MIAMI HARBOR CHANNEL, FL	13,100	6,000
NASSAU COUNTY, FL	---	400
PALM BEACH COUNTY (REIMBURSEMENT), FL	---	2,500
PANAMA CITY HARBOR, FL	1,645	1,645
PINELLAS COUNTY, FL	---	3,000
PONCE DE LEON INLET, FL	---	1,000
PORT EVERGLADES, FL	---	3,000
SARASOTA COUNTY, FL	---	2,000
ST JOHNS COUNTY, FL	---	300
TAMPA HARBOR, FL	---	200
TAMPA HARBOR, ALAFIA RIVER, FL	---	500
TAMPA HARBOR, BIG BEND CHANNEL, FL	---	500
TAMPA HARBOR DISPOSAL AREAS, FL	---	500
GEORGIA		
BRUNSWICK HARBOR, GA	11,116	6,000
BUFORD POWERHOUSE, GA (MAJOR REHAB)	3,374	3,374
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	2,493	2,493
LOWER SAVANNAH RIVER BASIN, GA & SC	250	100
OATES CREEK, RICHMOND COUNTY, GA (DEF CORR)	850	850
RICHARD B RUSSELL DAM AND LAKE, GA & SC	1,000	1,000
RICHARD B RUSSELL DAM AND LAKE MITIGATION ESCROW ACCT.	---	500
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	3,500	3,500
HAWAII		
HAWAII WATER MANAGEMENT, HI	---	1,000
IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	419	419

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
KAUMALAPAU HARBOR, HI	---	1,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	4,303	4,303
MAALAEA HARBOR, MAUI, HI	2,262	2,262
IDAHO		
ALBENI FALLS DAM, RILEY CREEK RECREATION AREA, ID	---	2,320
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,037	1,900
CHICAGO SANITARY AND SHIP CANAL, IL	---	500
CHICAGO SHORELINE, IL	19,000	23,000
COOK COUNTY, IL	---	400
DES PLAINES RIVER, IL	---	2,000
EAST ST LOUIS, IL	800	800
EAST ST LOUIS INTERIOR FLOOD CONTROL, IL	---	600
ILLINOIS RIVER BASIN RESTORATION, IL	---	2,000
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	10,000	10,000
LOVES PARK, IL	2,973	4,000
MADISON/ST CLAIR COUNTIES, IL	---	850
MCCOOK AND THORNTON RESERVOIRS, IL	10,000	14,000
MELVIN PRICE LOCK AND DAM, IL & MO	1,200	2,200
NUTWOOD LEVEE, IL	---	200
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	77,000	65,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	12,200	12,200
INDIANA		
CALUMET REGION, IN	---	3,300
CITY OF INDIANAPOLIS (ENVIRON. INFRASTRUCTURE), IN	---	750
GRAND CALUMET RIVER REMEDIAL ACTION PLAN, IN	---	250
INDIANA HARBOR (CONFINED DISPOSAL FACILITY), IN	6,800	7,000
INDIANA SHORELINE EROSION, IN	---	1,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN	2,000	2,000
LITTLE CALUMET RIVER, IN	3,562	3,562
LITTLE CALUMET RIVER, CADY MARSH DITCH, IN	---	2,000
MISSISSINEWA LAKE, IN (MAJOR REHAB)	7,094	9,000
OHIO RIVER GREENWAY PUBLIC ACCESS, IN	732	2,000
IOWA		
DES MOINES RECREATIONAL RIVER AND GREENBELT, IA	---	1,000
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)	1,366	1,366
LOCK AND DAM 12, MISSISSIPPI RIVER, IA (MAJOR REHAB)	5,404	1,200
LOCK AND DAM 19, MISSISSIPPI RIVER, IN (MAJOR REHAB)	---	500
MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	17,500	17,500
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	6,978	9,000
PERRY CREEK, IA	4,000	1,000
KANSAS		
ARKANSAS CITY, KS	3,000	3,000
KENTUCKY		
DEWEY LAKE, KY (DAM SAFETY)	600	600
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	27,400	30,000
KENTUCKY RIVER, LOCK AND DAM 10, KY	---	1,000
LOUISVILLE WATERFRONT, KY	---	500
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	6,192	21,000
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	3,838	3,838
METROPOLITAN LOUISVILLE, POND CREEK, KY	2,000	2,000
SOUTHERN AND EASTERN, KY	---	3,000

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
LOUISIANA		
ASCENSION PARISH (ENVIRONMENTAL INFRASTRUCTURE), LA...	---	750
COMITE RIVER, LA.....	3,000	5,000
EAST BATON ROUGE PARISH, LA.....	---	1,000
EAST BATON ROUGE PARISH (ENVIRONMENTAL INFRASTRUCTURE)	---	750
GRAND ISLE AND VICINITY, LA.....	---	213
IBERIA PARISH (ENVIRONMENTAL INFRASTRUCTURE), LA.....	---	500
INNER HARBOR NAVIGATION CANAL LOCK, LA.....	9,000	15,000
J BENNETT JOHNSTON WATERWAY, LA.....	11,016	17,000
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	4,900	7,000
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)....	410	410
LIVINGSTON PARISH (ENVIRONMENTAL INFRASTRUCTURE), LA..	---	500
MISSISSIPPI RIVER GULF OUTLET, LA.....	---	750
MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	200	200
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION).....	900	1,500
OUACHITA RIVER LEVEES, LA.....	---	1,500
RED RIVER BELOW DENISON DAM, LA.....	---	1,000
SOUTHEAST LOUISIANA, LA.....	20,083	50,000
WEST BANK AND VICINITY, NEW ORLEANS, LA.....	5,000	9,000
MARYLAND		
ASSATEAGUE ISLAND, MD.....	6,900	5,700
ATLANTIC COAST OF MARYLAND, MD.....	200	200
BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD & VA.....	10,590	9,200
CHESAPEAKE BAY ENVIRONMENTAL RESTOR & PROTECTION, MD..	---	500
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA.....	2,000	3,000
CUMBERLAND, MD.....	---	3,000
POPLAR ISLAND, MD.....	10,600	10,600
MASSACHUSETTS		
CAPE COD CANAL RAILROAD BRIDGE, MA (MAJOR REHAB).....	8,500	8,500
MUDDY RIVER, BROOKLINE AND BOSTON, MA.....	---	750
WEST HILL DAM, MA (MAJOR REHAB).....	2,800	750
MICHIGAN		
GENESEE COUNTY (ENVIRONMENTAL INFRASTRUCTURE), MI.....	---	200
NEGAUNEE, MI.....	---	575
SAULT STE MARIE LOCK REPLACEMENT, MI.....	---	2,500
TWELVE TOWNS DRAIN RETENTION FACILITY.....	---	300
MINNESOTA		
BRECKENRIDGE, MN.....	---	2,000
CROOKSTON, MN.....	3,202	3,202
LOCK AND DAM 3, MISSISSIPPI RIVER, MN (MAJOR REHAB)...	3,000	600
LOWER ST ANTHONYS FALLS, MN.....	---	1,000
MILLE LACS REGIONAL WASTEWATER, MN.....	---	1,000
NORTHEASTERN MINNESOTA, MN.....	---	3,000
UPPER MISSISSIPPI R., MISSISSIPPI PLACE, ST PAUL, MN..	---	500
MISSISSIPPI		
DESOTO COUNTY, MS.....	---	4,000
GULFPORT HARBOR, MS.....	---	800
MISSISSIPPI ENVIRO. INFRA.(SECTION 592, WRDA1999), MS.	---	8,000
PASCAGOULA HARBOR, MS.....	2,476	2,476
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO.....	200	200
BLUE RIVER CHANNEL, KANSAS CITY, MO.....	6,676	10,000
BOIS BRULE DRAINAGE AND LEVEE DISTRICT, MO.....	---	200

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	600	3,000
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	1,700	2,500
MISSOURI & MIDDLE MISSISSIPPI R. ENHANCEMENT PROJ, MO.	---	500
STE GENEVIEVE, MO	300	300
ST LOUIS, MO	---	2,500
TABLE ROCK LAKE, MO & AR (DAM SAFETY)	10,000	10,000
MONTANA		
FORT PECK FISH HATCHERY, MT	---	6,000
FORT PECK LAKE CABIN CONVEYANCE, MT	---	500
RURAL MONTANA, MT	---	1,000
NEBRASKA		
ANTELOPE CREEK, NE	---	2,000
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	750	750
SAND CREEK, NE	---	500
WESTERN SARPY/CLEAR CREEK, NE	---	500
WOOD RIVER, GRAND ISLAND, NE	3,536	3,536
NEVADA		
RURAL NEVADA, NV	---	10,000
TROPICANA AND FLAMINGO WASHES, NV	33,900	45,000
NEW HAMPSHIRE		
ENVIRONMENTAL INFRASTRUCTURE, LEBANON	---	1,000
NASHUA	---	100
NEW JERSEY		
BRIGANTINE INLET TO GREAT EGG INLET (ABSECON ISLAND)	500	500
BRIGANTINE INLET TO GREAT EGG INLET (BRIGATINE ISLAND)	---	500
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	82	82
DELAWARE BAY COASTLINE, REEDS BEACH AND PIERCES POINT.	---	500
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE	12,000	2,000
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	460	460
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	2,000	1,000
PASSAIC RIVER FLOOD MANAGEMENT, NJ	---	500
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	3,000	3,000
PASSAIC RIVER STREAMBANK RESTORATION, NJ	---	1,000
RAMAPO AND MAHWAH RIVERS, MAHWAH, NJ AND SUFFERN, NY	500	500
RAMAPO RIVER AT OAKLAND, NJ	5,241	5,241
RARITAN BAY AND SANDY HOOK BAY, NJ	1,000	750
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	5,000	7,000
SANDY HOOK TO BARNEGAT INLET, NJ	4,434	4,434
TOWNSENDS INLET TO CAPE MAY INLET, NJ	7,000	7,000
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	1,500	2,500
ALAMOGORDO, NM	5,400	5,400
CENTRAL NEW MEXICO, NM	---	6,000
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	800	800
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	800	800
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	450	450
EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,000	1,000
FIRE ISLAND INLET TO JONES INLET, NY	500	500
FIRE ISLAND INLET TO MONTAUK POINT, NY	2,750	3,500
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	120,000	105,000
NEW YORK STATE CANAL SYSTEM, NY	---	500

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NORTH CAROLINA		
BRUNSWICK COUNTY BEACHES, NC	700	700
DARE COUNTY BEACHES (BODIE ISLAND), NC	---	500
STANLY COUNTY WASTEWATER, NC	---	1,000
WEST ONSLOW BEACH AND NEW RIVER INLET, NC	1,200	1,200
WILMINGTON HARBOR, NC	24,650	40,000
NORTH DAKOTA		
BUFORD - TRENTON IRRIGATION DISTRICT LAND ACQUISITION,	1,000	3,000
DEVILS LAKE, ND	---	5,000
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	6,500	6,500
GRAFTON, PARK RIVER, ND	---	500
GRAND FORKS, ND - EAST GRAND FORKS, MN	30,000	35,000
HOMME LAKE, ND (DAM SAFETY)	2,272	1,200
MISSOURI RIVER RESTORATION, ND	---	500
SHEYENNE RIVER, ND	2,417	2,417
OHIO		
HOLES CREEK, WEST CARROLLTON, OH	---	2,000
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	3,270	4,000
MILL CREEK, OH	1,100	4,500
OHIO ENVIRONMENTAL ASSISTANCE, OH	---	4,500
WEST COLUMBUS, OH	2,000	7,400
OKLAHOMA		
CANTON LAKE (DAM SAFETY), OK	---	2,000
LAWTON, OK	---	500
SKIATOOK LAKE, OK (DAM SAFETY)	3,000	3,000
TENKILLER FERRY LAKE, OK (DAM SAFETY)	4,600	4,600
YUKON, OK	---	4,125
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	8,913	8,913
COLUMBIA RIVER CHANNEL IMPROVEMENTS	---	2,000
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	5,800	5,800
ELK CREEK LAKE, OR	1,000	1,000
LOWER COLUMBIA RIVER BASIN BANK PROTECTION, OR & WA	100	100
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	2,000	2,000
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	6,000	8,000
PENNSYLVANIA		
3 RIVERS WET WEATHER DEMONSTRATION PROJECT, PA	---	750
KEHLY RUN DAM NO. 5, PA	---	150
LACKAWANNA RIVER, OLYPHANT, PA	1,161	1,161
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	36,017	42,000
NANTY GLO ENVIRONMENTAL RESTORATION, PA	---	1,350
NORTHEAST PENNSYLVANIA INFRASTRUCTURE PROGRAM, PA	---	1,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	580	880
SAW MILL RUN, PITTSBURGH, PA	4,103	4,103
SCHUYLKILL RIVER PARK, PA	---	900
SOUTH CENTRAL ENVIRONMENTAL IMPROVEMENT PROGRAM, PA	---	8,000
SOUTHEASTERN PENNSYLVANIA, PA	---	400
WYOMING VALLEY, PA (LEVEE RAISING)	9,439	9,439
PUERTO RICO		
ARECIBO RIVER, PR	5,000	5,000
PORTUGUES AND BUCANA RIVERS, PR	5,500	5,500
RIO DE LA PLATA, PR	500	500

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RIO GRANDE DE MANATI, PR	4,981	4,981
RIO PUERTO NUEVO, PR	8,778	8,778
SAN JUAN HARBOR, PR	1,457	1,457
SOUTH CAROLINA		
CHARLESTON HARBOR (DEEPENING & WIDENING), SC	4,539	5,500
HARTWELL LK,CLEMSON UPPER & LOWER DIVERSION, SC (DAM S	5,791	3,200
LAKES MARION AND MOULTRIE, SC	---	1,862
MYRTLE BEACH STORM DAMAGE REDUCTION, SC	---	400
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD	3,964	3,000
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	1,700	8,500
MISSOURI RIVER RESTORATION, SD	750	750
PIERRE, SD	1,426	6,000
TENNESSEE		
BLACK FOX, OAKLANDS AND MURFREE SPRINGS WETLANDS, TN	---	3,000
CUMBERLAND COUNTY WATER SUPPLY, TN	---	400
TEXAS		
BRAYS BAYOU, HOUSTON, TX	3,798	5,000
CLEAR CREEK, TX	1,200	1,200
DALLAS FLOODWAY EXTENSION, TX	---	9,744
EL PASO, TX	1,000	1,000
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	19,487	36,000
HUNTING BAYOU, TX	---	2,000
JOHNSON CREEK, UPPER TRINITY BASIN, ARLINGTON, TX	3,636	3,636
MOUTH OF COLORADO RIVER, TX	---	500
NECHES RIVER AND TRIBUTARIES SALTWATER BARRIER, TX	7,000	7,000
NORTH PADRE ISLAND, PACKERY CHANNEL, TX	---	4,000
RED RIVER BASIN CHLORIDE CONTROL, TX	---	1,500
RED RIVER BELOW DENISON DAM (BOWIE COUNTY LEVEE), TX	---	4,000
SALT CREEK, GRAHAM, TX	---	500
SAN ANTONIO CHANNEL IMPROVEMENT, TX	3,219	4,000
SIMS BAYOU, HOUSTON, TX	9,000	9,000
WACO LAKE AIRPORT PARK, TX	---	3,000
WHITNEY LAKE POWERHOUSE (MAJOR REHABILITATION), TX	---	1,200
UTAH		
UPPER JORDAN RIVER, UT	500	500
VERMONT		
LAKE CHAMPLAIN WATERSHED INITIATIVE, VT	---	500
VERMONT DAMS REMEDIATION, VT	---	100
VIRGINIA		
AIWW BRIDGE AT GREAT BRIDGE, VA	3,401	3,401
EMBREY DAM, VA	---	2,500
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	6,600	6,600
LAKE MERRIWEATHER, LITTLE CALFPASTURE (GOSHEN DAM), VA	---	500
LYNCHBURG (COMBINED SEWER OVERFLOW), VA	---	500
NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	477	2,000
RICHMOND (COMBINED SEWER OVERFLOW), VA	---	500
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	850	1,100
SANDBRIDGE BEACH, VA	---	1,400
VIRGINIA BEACH, VA (HURRICANE PROTECTION)	120	120

CONSTRUCTION GENERAL
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WASHINGTON		
CHIEF JOSEPH DAM GAS ABATEMENT, WA	---	500
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	98,000	85,000
GRAYS HARBOR, WA	50	50
HOWARD HANSON DAM ECOSYSTEM RESTORATION, WA	5,776	6,800
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	4,600	4,000
MT ST HELENS SEDIMENT CONTROL, WA	281	281
MUD MOUNTAIN DAM, WA (DAM SAFETY)	1,200	2,500
PUGET SOUND AND ADJACENT WATERS RESTORATION, WA	---	500
SHOALWATER BAY SHORELINE EROSION, WA	---	700
THE DALLES POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	3,000	3,000
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	8,500	10,000
CENTRAL WEST VIRGINIA, WV	---	1,000
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	10,400	45,000
LONDON LOCKS AND DAM, KANAWHA RIVER, WV (MAJOR REHAB)	11,934	11,934
LOWER MUD RIVER, WV	---	750
MARMET LOCK, KANAWHA RIVER, WV	10,978	50,000
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	1,500	1,500
SOUTHERN WEST VIRGINIA, WV	---	1,000
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	200	200
WISCONSIN		
LAFARGE LAKE, WI	4,361	4,361
NORTHERN WISCONSIN ENVIRONMENTAL ASSISTANCE, WI	---	2,500
WYOMING		
JACKSON HOLE, WY	---	500
MISCELLANEOUS		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	10,000	20,000
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204)	1,500	1,500
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	5,000	7,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	9,000	7,000
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14)	7,000	10,000
EMPLOYEES' COMPENSATION	20,000	20,000
ESTUARY RESTORATION PROGRAM (PL106-457)	---	1,000
FLOOD CONTROL PROJECTS (SECTION 205)	30,000	45,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111)	500	2,000
NAVIGATION PROJECTS (SECTION 107)	7,000	11,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	16,000	23,000
SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATIO	8,000	8,300
SHORELINE PROTECTION PROJECTS (SECTION 103)	5,000	5,000
SNAGGING AND CLEARING PROJECT (SECTION 208)	1,000	1,000
TRIBAL PARTNERSHIP PROGRAM	---	2,000
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-103,454	-270,000
ADJUSTMENT FOR ACTUAL RETIREMENT ACCRUALS	-2,388	---
TOTAL, CONSTRUCTION GENERAL	1,415,612	1,756,012

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
ALEXANDRIA TO THE GULF, LA	420	420
BAYOU METO BASIN, AR	---	1,400
SOUTHEAST ARKANSAS, AR	---	650
DONALDSONVILLE TO THE GULF, LA	780	780
SPRING BAYOU, LA	505	505
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	180	180
GERMANTOWN, TN	345	345
MEMPHIS HARBOR, TN	---	300
MEMPHIS METRO AREA, TN & MS	25	---
MILLINGTON AND VICINITY, TN	150	150
MORGANZA TO THE GULF, LA	2,880	3,500
WOLF RIVER, MEMPHIS, TN	123	---
COLLECTION AND STUDY OF BASIC DATA	600	600
SUBTOTAL, GENERAL INVESTIGATIONS	6,008	8,830
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	36,690	37,790
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	750	750
HELENA AND VICINITY, AR	660	660
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	42,360	47,885
ST FRANCIS BASIN, AR & MO	1,970	3,100
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	7,010	7,010
ATCHAFALAYA BASIN, LA	18,873	19,873
LOUISIANA STATE PENITENTIARY LEVEE, LA	2,449	2,449
MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS	25	25
MISSISSIPPI DELTA REGION, LA	3,500	3,500
HORN LAKE CREEK & TRIBUTARIES (INCL COW PEN CREEK), MS	300	300
YAZOO BASIN:	(10,550)	(45,650)
BACKWATER PUMP, MS	250	10,000
BIG SUNFLOWER RIVER, MS	200	1,400
DELTA HEADWATERS PROJECT, MS	---	20,000
MAIN STEM, MS	25	25
REFORMULATION UNIT, MS	25	25
TRIBUTARIES, MS	200	200
UPPER YAZOO PROJECTS, MS	9,850	14,000
ST JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	100	5,100
NONCONNAH CREEK, TN & MS	605	1,605
WEST TENNESSEE TRIBUTARIES, TN	100	100
WOLF RIVER, MEMPHIS, TN	---	400
SUBTOTAL, CONSTRUCTION	125,942	176,197
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	66,465	66,465
HELENA HARBOR, PHILLIPS COUNTY, AR	490	490
INSPECTION OF COMPLETED WORKS, AR	441	441
LOWER ARKANSAS RIVER, NORTH BANK, AR	105	105
LOWER ARKANSAS RIVER, SOUTH BANK, AR	135	135
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	7,185	9,000
ST FRANCIS BASIN, AR & MO	10,580	11,180
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,463	3,400
WHITE RIVER BACKWATER, AR	1,250	1,250
INSPECTION OF COMPLETED WORKS, IL	50	50
INSPECTION OF COMPLETED WORKS, KY	35	35
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	2,095	2,095
ATCHAFALAYA BASIN, LA	12,512	13,512
BATON ROUGE HARBOR, DEVIL SWAMP, LA	210	210
BAYOU COCODRIE AND TRIBUTARIES, LA	75	75
BONNET CARRE, LA	3,105	3,105

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, LA	510	510
LOWER RED RIVER, SOUTH BANK LEVEES, LA	125	1,800
MISSISSIPPI DELTA REGION, LA	860	860
OLD RIVER, LA	11,520	11,520
TENSAS BASIN, RED RIVER BACKWATER, LA	3,145	3,145
GREENVILLE HARBOR, MS	340	340
INSPECTION OF COMPLETED WORKS, MS	286	286
VICKSBURG HARBOR, MS	330	330
YAZOO BASIN:	(26,910)	(40,525)
ARKABUTLA LAKE, MS	5,380	9,380
BIG SUNFLOWER RIVER, MS	115	2,500
ENID LAKE, MS	4,920	6,500
GREENWOOD, MS	825	825
GRENADA LAKE, MS	5,700	7,150
MAIN STEM, MS	1,265	1,265
SARDIS LAKE, MS	5,905	9,905
TRIBUTARIES, MS	1,265	1,265
WILL M WHITTINGTON AUX CHAN, MS	450	450
YAZOO BACKWATER AREA, MS	280	480
YAZOO CITY, MS	805	805
INSPECTION OF COMPLETED WORKS, MO	167	167
WAPPAPELLO LAKE, MO	6,730	8,500
INSPECTION OF COMPLETED WORKS, TN	96	96
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,750	1,750
FACILITY PROTECTION	1,000	1,000
MAPPING	1,170	1,170
SUBTOTAL, MAINTENANCE	162,135	183,547
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-13,085	-24,000
ADJUSTMENT FOR ACTUAL RETIREMENT ACCRUALS	-329	---
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	280,671	344,574

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	500	500
ALABAMA - COOSA RIVER, AL	2,974	3,174
BAYOU LA BATRE, AL	2,000	2,000
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	24,201	26,000
DAUPHIN ISLAND BAY, AL	---	500
DOG AND FOWL RIVERS, AL	---	500
GULF INTRACOASTAL WATERWAY, AL	4,963	4,963
INSPECTION OF COMPLETED WORKS, AL	100	100
MILLERS FERRY LOCK AND DAM, WILLIAM 'BILL' DANNELLY LA	7,094	7,094
MOBILE HARBOR, AL	18,610	22,500
PERIDO PASS CHANNEL, AL	---	1,200
PROJECT CONDITION SURVEYS, AL	350	350
ROBERT F HENRY LOCK AND DAM, AL	5,558	5,858
SCHEDULING RESERVOIR OPERATIONS, AL	100	100
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,083	24,000
TENNESSEE - TOMBIGBEE WILDLIFE MITIGATION, AL & MS	---	2,000
WALTER F GEORGE LOCK AND DAM, AL & GA	6,912	6,912
ALASKA		
ANCHORAGE HARBOR, AK	3,616	4,200
CHENA RIVER LAKES, AK	2,889	2,889
COOK INLET NAVIGATION CHANNEL, AK	---	750
DILLINGHAM HARBOR, AK	459	684
HOMER HARBOR, AK	363	488
INSPECTION OF COMPLETED WORKS, AK	40	40
KETCHIKAN HARBOR, BAR POINT, AK	500	500
KODIAK HARBOR, AK	---	750
NAKNEK RIVER, AK	215	215
NINILCHIK HARBOR, AK	232	232
NOME HARBOR, AK	410	410
PROJECT CONDITION SURVEYS, AK	543	543
ST PAUL HARBOR, AK	75	75
ARIZONA		
ALAMO LAKE, AZ	1,282	1,282
INSPECTION OF COMPLETED WORKS, AZ	79	79
PAINTED ROCK DAM, AZ	1,269	1,269
SCHEDULING RESERVOIR OPERATIONS, AZ	32	32
WHITLOW RANCH DAM, AZ	168	168
ARKANSAS		
BEAVER LAKE, AR	5,064	5,064
BLAKELY MT DAM, LAKE OUACHITA, AR	9,444	9,444
BLUE MOUNTAIN LAKE, AR	1,162	1,162
BULL SHOALS LAKE, AR	5,675	5,675
DARDANELLE LOCK AND DAM, AR	5,699	5,699
DEGRAY LAKE, AR	4,620	4,620
DEQUEEN LAKE, AR	931	931
DIERKS LAKE, AR	959	959
GILLHAM LAKE, AR	861	861
GREERS FERRY LAKE, AR	5,445	5,445
HELENA HARBOR, PHILLIPS COUNTY, AR	23	340
INSPECTION OF COMPLETED WORKS, AR	147	147
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	23,925	24,925
MILLWOOD LAKE, AR	1,257	1,257
NARROWS DAM, LAKE GREESON, AR	7,440	7,440
NIMROD LAKE, AR	1,409	1,409
NORFORK LAKE, AR	4,368	4,368
OSCEOLA HARBOR, AR	21	610
OUACHITA AND BLACK RIVERS, AR & LA	6,491	7,500
OZARK - JETA TAYLOR LOCK AND DAM, AR	4,152	4,152

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PROJECT CONDITION SURVEYS, AR	6	6
WHITE RIVER, AR	195	2,200
YELLOW BEND PORT, AR	10	147
CALIFORNIA		
BLACK BUTTE LAKE, CA	2,034	2,034
BODEGA BAY, CA	1,750	1,900
BUCHANAN DAM, H V EASTMAN LAKE, CA	1,796	1,796
CHANNEL ISLANDS HARBOR, CA	3,622	4,222
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,334	3,584
CRESCENT CITY HARBOR, CA	---	600
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	4,338	4,838
FARMINGTON DAM, CA	308	308
HIDDEN DAM, HENSLEY LAKE, CA	1,751	1,751
HUMBOLDT HARBOR AND BAY, CA	3,426	4,500
INSPECTION OF COMPLETED WORKS, CA	1,130	1,130
ISABELLA LAKE, CA	1,227	1,227
LOS ANGELES - LONG BEACH HARBOR MODEL, CA	170	170
LOS ANGELES - LONG BEACH HARBORS, CA	320	320
LOS ANGELES COUNTY DRAINAGE AREA, CA	4,424	8,084
MARINA DEL REY, CA	60	60
MERCED COUNTY STREAMS, CA	313	313
MOJAVE RIVER DAM, CA	259	259
MORRO BAY HARBOR, CA	1,280	1,280
MOSS LANDING HARBOR, CA	---	1,500
NEW HOGAN LAKE, CA	2,006	2,006
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,651	1,651
NEWPORT BAY HARBOR, CA	120	1,000
OAKLAND HARBOR, CA	11,204	11,204
OCEANSIDE HARBOR, CA	1,240	1,240
PETALUMA RIVER, CA	---	1,250
PILLAR POINT HARBOR, CA	---	200
PINE FLAT LAKE, CA	2,500	2,500
PORT HUENEME, CA	60	500
PROJECT CONDITION SURVEYS, CA	1,148	1,148
RICHMOND HARBOR, CA	4,381	4,381
SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,189	2,189
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,271	1,271
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	145	145
SAN DIEGO HARBOR, CA	150	150
SAN DIEGO RIVER AND MISSION BAY, CA	60	60
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	1,181	1,181
SAN FRANCISCO BAY, LONG TERM MGMT STRATEGY, CA	---	1,000
SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA	2,072	2,072
SAN FRANCISCO HARBOR, CA	1,920	1,920
SAN JOAQUIN RIVER, CA	2,122	2,500
SAN PABLO BAY AND MARE ISLAND STRAIT, CA	---	1,500
SANTA ANA RIVER BASIN, CA	3,395	3,395
SANTA BARBARA HARBOR, CA	1,800	1,800
SCHEDULING RESERVOIR OPERATIONS, CA	1,415	1,415
SUCCESS LAKE, CA	1,992	1,992
SUISUN BAY CHANNEL, CA	2,815	3,815
TERMINUS DAM, LAKE KAWEAH, CA	1,770	1,770
VENTURA HARBOR, CA	2,590	3,890
YUBA RIVER, CA	63	63
COLORADO		
BEAR CREEK LAKE, CO	315	315
CHATFIELD LAKE, CO	1,225	1,475
CHERRY CREEK LAKE, CO	894	1,144
INSPECTION OF COMPLETED WORKS, CO	136	136
JOHN MARTIN RESERVOIR, CO	2,148	2,148
SCHEDULING RESERVOIR OPERATIONS, CO	242	242
TRINIDAD LAKE, CO	1,309	1,559

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CONNECTICUT		
BLACK ROCK LAKE, CT	364	364
COLEBROOK RIVER LAKE, CT	506	506
HANCOCK BROOK LAKE, CT	284	284
HOP BROOK LAKE, CT	906	906
INSPECTION OF COMPLETED WORKS, CT	35	35
MANSFIELD HOLLOW LAKE, CT	447	447
NEW HAVEN HARBOR, CT	4,546	4,546
NORTHFIELD BROOK LAKE, CT	337	337
NORWALK HARBOR, CT	---	200
PROJECT CONDITION SURVEYS, CT	1,185	1,185
STAMFORD HURRICANE BARRIER, CT	349	349
THOMASTON DAM, CT	565	565
TREATMENT OF MATERIAL FROM LONG ISLAND SOUND	---	750
WEST THOMPSON LAKE, CT	506	506
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	12,853	12,853
INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	45	45
MISPILLION RIVER, DE	275	275
MURDERKILL RIVER, DE	310	310
PROJECT CONDITION SURVEYS, DE	50	50
WILMINGTON HARBOR, DE	4,966	4,966
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC	7	7
POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	1,110	1,110
PROJECT CONDITION SURVEYS, DC	33	33
WASHINGTON HARBOR, DC	50	50
FLORIDA		
APALACHICOLA BAY, FL	---	1,500
CANAVERAL HARBOR, FL	3,960	3,960
CENTRAL AND SOUTHERN FLORIDA, FL	9,347	9,347
ESCAMBIA AND CONECUH RIVERS, FL	---	1,100
FERNANDINA HARBOR, FL	3,030	3,030
INSPECTION OF COMPLETED WORKS, FL	200	200
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	322	4,000
JACKSONVILLE HARBOR, FL	4,040	4,040
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA	6,050	6,050
MANATEE HARBOR, FL	2,780	2,780
MIAMI HARBOR, FL	1,508	1,508
MIAMI RIVER, FL	5,550	6,800
OKEECHOBEE WATERWAY, FL	2,695	2,695
PALM BEACH HARBOR, FL	2,018	3,018
PANAMA CITY HARBOR, FL	1,000	1,000
PENSACOLA HARBOR (BAYOU TEXAR), FL	---	500
PORT EVERGLADES HARBOR, FL	2,350	2,350
PORT ST JOE HARBOR, FL	1,000	1,000
PROJECT CONDITION SURVEYS, FL	780	780
REMOVAL OF AQUATIC GROWTH, FL	3,911	3,911
TAMPA HARBOR, FL	8,559	8,559
GEORGIA		
ALLATOONA LAKE, GA	6,456	6,456
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	1,444	4,709
ATLANTIC INTRACOASTAL WATERWAY, GA	178	178
BRUNSWICK HARBOR, GA	3,993	3,993
BUFORD DAM AND LAKE SIDNEY LANIER, GA	8,060	8,060
CARTERS DAM AND LAKE, GA	9,958	9,958
HARTWELL LAKE, GA & SC	12,896	12,896

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, GA	41	41
J STROM THURMOND LAKE, GA & SC	13,553	13,553
RICHARD B RUSSELL DAM AND LAKE, GA & SC	7,548	7,548
SAVANNAH HARBOR, GA	12,540	12,540
SAVANNAH RIVER BELOW AUGUSTA, GA	134	134
WEST POINT DAM AND LAKE, GA & AL	5,587	5,587
HAWAII		
BARBERS POINT HARBOR, HI	354	354
INSPECTION OF COMPLETED WORKS, HI	275	275
PROJECT CONDITION SURVEYS, HI	544	544
IDAHO		
ALBENI FALLS DAM, ID	1,677	1,677
DWORSHAK DAM AND RESERVOIR, ID	3,951	3,951
INSPECTION OF COMPLETED WORKS, ID	81	81
LUCKY PEAK LAKE, ID	1,488	1,488
SCHEDULING RESERVOIR OPERATIONS, ID	371	371
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	3,190	4,200
CARLYLE LAKE, IL	4,856	5,400
CHICAGO HARBOR, IL	2,616	2,616
CHICAGO RIVER, IL	362	362
FARM CREEK RESERVOIRS, IL	204	204
ILLINOIS WATERWAY (MVR PORTION), IL & IN	25,154	25,154
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,683	1,683
INSPECTION OF COMPLETED WORKS, IL	428	428
KASKASKIA RIVER NAVIGATION, IL	1,386	2,500
LAKE MICHIGAN DIVERSION, IL	1,037	1,037
LAKE SHELBYVILLE, IL	5,073	5,073
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	41,820	41,820
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	15,443	15,443
PROJECT CONDITION SURVEYS, IL	30	30
REND LAKE, IL	4,520	4,520
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	111	111
WAUKEGAN HARBOR, IL	1,270	1,270
INDIANA		
BROOKVILLE LAKE, IN	732	732
BURNS WATERWAY HARBOR, IN	3,427	3,727
BURNS WATERWAY SMALL BOAT HARBOR, IN	1,606	1,606
CAGLES MILL LAKE, IN	634	634
CECIL M HARDEN LAKE, IN	704	704
INDIANA HARBOR, IN	64	64
INSPECTION OF COMPLETED WORKS, IN	168	168
J EDWARD ROUSH LAKE, IN	1,108	1,108
MICHIGAN CITY HARBOR, IN	1,132	1,132
MISSISSINEWA LAKE, IN	853	853
MONROE LAKE, IN	759	759
PATOKA LAKE, IN	727	727
PROJECT CONDITION SURVEYS, IN	55	55
SALAMONIE LAKE, IN	649	649
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	130	130
IOWA		
CORALVILLE LAKE, IA	3,097	3,097
INSPECTION OF COMPLETED WORKS, IA	78	78
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	147	147
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO	5,613	6,113
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	3,075	3,075

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RATHBUN LAKE, IA	2,189	2,189
RED ROCK DAM AND LAKE RED ROCK, IA	3,609	4,109
SAYLORVILLE LAKE, IA	4,088	4,088
KANSAS		
CLINTON LAKE, KS	1,934	2,100
COUNCIL GROVE LAKE, KS	1,491	1,991
EL DORADO LAKE, KS	460	610
ELK CITY LAKE, KS	552	552
FALL RIVER LAKE, KS	1,204	1,204
HILLSDALE LAKE, KS	752	752
INSPECTION OF COMPLETED WORKS, KS	48	48
JOHN REDMOND DAM AND RESERVOIR, KS	1,144	1,144
KANOPOLIS LAKE, KS	1,521	1,521
MARION LAKE, KS	1,621	1,621
MELVERN LAKE, KS	2,034	2,034
MILFORD LAKE, KS	1,997	1,997
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,052	1,052
PERRY LAKE, KS	2,111	2,111
POMONA LAKE, KS	1,897	1,897
SCHEDULING RESERVOIR OPERATIONS, KS	194	194
TORONTO LAKE, KS	424	424
TUTTLE CREEK LAKE, KS	2,106	2,106
WILSON LAKE, KS	1,846	1,846
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	8,171	8,171
BARREN RIVER LAKE, KY	2,074	2,074
BIG SANDY HARBOR, KY	35	1,000
BUCKHORN LAKE, KY	1,703	1,703
CARR CREEK LAKE, KY	1,343	1,843
CAVE RUN LAKE, KY	833	833
DEWEY LAKE, KY	1,555	1,555
ELVIS STAHR (HICKMAN) HARBOR, KY	19	460
FISHTRAP LAKE, KY	1,927	1,927
GRAYSON LAKE, KY	1,259	1,259
GREEN AND BARREN RIVERS, KY	1,081	1,081
GREEN RIVER LAKE, KY	1,769	1,769
INSPECTION OF COMPLETED WORKS, KY	181	181
KENTUCKY RIVER, KY	400	400
LAUREL RIVER LAKE, KY	1,542	1,542
LICKING RIVER OPEN CHANNEL WORK, KY	28	28
MARTINS FORK LAKE, KY	623	623
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	52	52
NOLIN LAKE, KY	1,992	1,992
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	30,969	30,969
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	5,577	5,577
PAINTSVILLE LAKE, KY	982	982
PROJECT CONDITION SURVEYS, KY	6	6
ROUGH RIVER LAKE, KY	2,120	2,320
TAYLORSVILLE LAKE, KY	913	913
WOLF CREEK DAM, LAKE CUMBERLAND, KY	7,162	8,862
YATESVILLE LAKE, KY	1,156	1,156
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	14,681	15,000
BARATARIA BAY WATERWAY, LA	---	2,000
BAYOU BODCAU RESERVOIR, LA	794	794
BAYOU LACOMBE, LA	---	315
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	1,085	1,085
BAYOU PIERRE, LA	40	40
BAYOU SEGNETTE, LA	---	740
BAYOU TECHE, LA	---	2,000

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
BAYOU TECHE AND VERMILION RIVER, LA	---	50
CADDO LAKE, LA	166	166
CALCASIEU RIVER AND PASS, LA	15,852	15,852
FRESHWATER BAYOU, LA	1,443	1,443
GULF INTRACOASTAL WATERWAY, LA	19,129	19,129
HOUMA NAVIGATION CANAL, LA	3,223	3,223
INSPECTION OF COMPLETED WORKS, LA	772	772
J BENNETT JOHNSTON WATERWAY, LA	7,297	11,000
LAKE PROVIDENCE HARBOR, LA	20	441
MADISON PARISH PORT, LA	5	105
MERMENTAU RIVER, LA	1,280	1,280
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	80	80
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO,	57,482	57,482
MISSISSIPPI RIVER, GULF OUTLET, LA	13,061	13,061
PROJECT CONDITION SURVEYS, LA	80	80
REMOVAL OF AQUATIC GROWTH, LA	2,000	2,000
WALLACE LAKE, LA	180	180
WATERWAY FROM EMPIRE TO THE GULF, LA	---	280
WATERWAY FROM INTRACOASTAL WW TO BAYOU DULAC, LA	---	575
MAINE		
BELFAST HARBOR, ME	1,305	1,505
CAMDEN HARBOR MAINTENANCE DREDGING	---	470
INSPECTION OF COMPLETED WORKS, ME	16	16
NARRAGUAGUS RIVER, ME	---	50
PROJECT CONDITION SURVEYS, ME	1,720	1,720
PENOBSCOT RIVER, ME	---	100
ROCKLAND HARBOR, ME	1,110	1,110
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	17	17
MARYLAND		
BALTIMORE HARBOR (DRIFT REMOVAL), MD	500	500
BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	663	663
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	18,444	19,500
CUMBERLAND, MD AND RIDGELEY, WV	168	168
FISHING CREEK, MD	---	492
HONGA RIVER AND TAR BAY, MD	930	1,330
INSPECTION OF COMPLETED WORKS, MD	34	34
JENNINGS RANDOLPH LAKE, MD & WV	1,653	1,653
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	1,627	1,627
POCOMOKE RIVER, MD	619	619
PROJECT CONDITION SURVEYS, MD	323	323
SCHEDULING RESERVOIR OPERATIONS, MD	91	91
TOLCHESTER CHANNEL, MD	180	180
TWICH COVE AND BIG THOROFARE RIVER, MD	---	950
WICOMICO RIVER, MD	604	1,500
MASSACHUSETTS		
AUNT LYDIA'S COVE, CHATHAM, MA	418	418
BARRE FALLS DAM, MA	533	533
BIRCH HILL DAM, MA	498	498
BUFFUMVILLE LAKE, MA	431	431
CAPE COD CANAL, MA	7,659	7,659
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	260	260
CONANT BROOK LAKE, MA	174	174
CUTTYHUNK HARBOR, MA	174	174
EAST BRIMFIELD LAKE, MA	313	313
GREEN HARBOR, MA	418	418
HODGES VILLAGE DAM, MA	416	416
INSPECTION OF COMPLETED WORKS, MA	112	112
KNIGHTVILLE DAM, MA	483	483
LITTLEVILLE LAKE, MA	441	441
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	322	322

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PLYMOUTH HARBOR, MA	1,000	1,000
PROJECT CONDITION SURVEYS, MA	1,197	1,197
SCITUATE HARBOR, MA	2,950	2,950
TULLY LAKE, MA	486	486
WEST HILL DAM, MA	657	657
WESTVILLE LAKE, MA	406	406
MICHIGAN		
ALPENA HARBOR, MI	222	222
ARCADIA HARBOR, MI	107	107
BAY PORT HARBOR, MI	299	299
BLACK RIVER HARBOR, MI	12	12
BLACK RIVER, PORT HURON, MI	14	500
CHANNELS IN LAKE ST CLAIR, MI	128	128
CHARLEVOIX HARBOR, MI	124	124
CHEBOYGAN HARBOR, MI	12	12
CLINTON RIVER, MI	10	10
DETROIT RIVER, MI	3,192	4,000
FRANKFORT HARBOR, MI	177	177
GRAND HAVEN HARBOR, MI	1,250	1,250
GRAND MARAIS HARBOR, MI	---	175
GRAND TRAVERSE BAY HARBOR, MI	227	227
HOLLAND HARBOR, MI	505	505
INLAND ROUTE, MI	33	33
INSPECTION OF COMPLETED WORKS, MI	154	154
KEWEENAW WATERWAY, MI	450	450
LAC LA BELLE, MI	102	102
LELAND HARBOR, MI	174	174
LEXINGTON HARBOR, MI	704	704
LITTLE LAKE HARBOR, MI	462	462
LUDINGTON HARBOR, MI	95	95
MANISTEE HARBOR, MI	247	247
MANISTIQUE HARBOR, MI	50	50
MARQUETTE HARBOR, MI	193	193
MENOMINEE HARBOR, MI & WI	281	281
MONROE HARBOR, MI	792	792
MUSKEGON HARBOR, MI	387	387
NEW BUFFALO HARBOR, MI	156	156
ONTONAGON HARBOR, MI	1,745	1,745
PENTWATER HARBOR, MI	25	25
PORT SANILAC HARBOR, MI	501	501
PORTAGE LAKE HARBOR, MI	21	21
PROJECT CONDITION SURVEYS, MI	234	234
ROUGE RIVER, MI	933	933
SAGINAW RIVER, MI	2,351	2,351
SAUGATUCK HARBOR, MI	2,803	2,803
SEBEWAING RIVER (ICE JAM REMOVAL), MI	12	12
SOUTH HAVEN HARBOR, MI	54	54
ST CLAIR RIVER, MI	694	694
ST JOSEPH HARBOR, MI	996	996
ST MARYS RIVER, MI	18,181	18,181
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,507	2,507
WHITE LAKE HARBOR, MI	67	67
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	274	274
DULUTH - SUPERIOR HARBOR, MN & WI	4,506	4,506
INSPECTION OF COMPLETED WORKS, MN	207	207
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	1,031	1,031
MINNESOTA RIVER, MN	130	130
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	45,405	45,405
ORWELL LAKE, MN	481	481
PROJECT CONDITION SURVEYS, MN	72	72
RED LAKE RESERVOIR, MN	126	126

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	4,513	4,513
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	306	306
TWO HARBORS, MN	167	167
MISSISSIPPI		
BILOXI HARBOR	---	750
CLAIBORNE COUNTY PORT, MS	8	113
EAST FORK, TOMBIGBEE RIVER, MS	170	170
GULFPORT HARBOR, MS	2,002	3,402
INSPECTION OF COMPLETED WORKS, MS	7	7
MOUTH OF YAZOO RIVER, MS	25	106
OKATIBBEE LAKE, MS	1,618	1,618
PASCAGOULA HARBOR, MS	3,401	4,000
PEARL RIVER, MS & LA	288	288
PROJECT CONDITION SURVEYS, MS	5	5
ROSEDALE HARBOR, MS	15	613
WOLF AND JORDAN RIVERS	---	1,000
YAZOO RIVER, MS	15	15
MISSOURI		
CARUTHERSVILLE HARBOR, MO	21	240
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,959	5,959
CLEARWATER LAKE, MO	1,860	3,360
HARRY S TRUMAN DAM AND RESERVOIR, MO	10,253	10,253
INSPECTION OF COMPLETED WORKS, MO	1,043	1,043
LITTLE BLUE RIVER LAKES, MO	935	935
LONG BRANCH LAKE, MO	980	980
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	13,878	17,000
NEW MADRID HARBOR, MO	16	290
POMME DE TERRE LAKE, MO	2,168	2,168
PROJECT CONDITION SURVEYS, MO	6	6
SCHEDULING RESERVOIR OPERATIONS, MO	296	296
SOUTHEAST MISSOURI PORT, MO	---	400
SMITHVILLE LAKE, MO	1,070	1,070
STOCKTON LAKE, MO	4,268	4,268
TABLE ROCK LAKE, MO	6,261	7,261
UNION LAKE, MO	10	10
MONTANA		
FT PECK DAM AND LAKE, MT	7,354	7,354
INSPECTION OF COMPLETED WORKS, MT	40	40
LIBBY DAM, LAKE KOOCANUSA, MT	1,505	1,505
SCHEDULING RESERVOIR OPERATIONS, MT	100	100
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	7,199	7,199
HARLAN COUNTY LAKE, NE	2,025	2,025
INSPECTION OF COMPLETED WORKS, NE	78	78
MISSOURI NATIONAL RECREATIONAL RIVER, NE	---	240
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,	500	500
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWO	45	45
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	669	669
SALT CREEK AND TRIBUTARIES, NE	925	925
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	39	39
MARTIS CREEK LAKE, NV & CA	556	556
PINE AND MATHEWS CANYONS LAKES, NV	194	194
NEW HAMPSHIRE		

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
BLACKWATER DAM, NH	454	454
COCHECO RIVER, NH	50	50
EDWARD MACDOWELL LAKE, NH	490	490
FRANKLIN FALLS DAM, NH	496	496
HOPKINTON - EVERETT LAKES, NH	1,074	1,074
INSPECTION OF COMPLETED WORKS, NH	11	11
LITTLE HARBOR, NH	200	200
OTTER BROOK LAKE, NH	577	577
PROJECT CONDITION SURVEYS, NH	273	273
SURRY MOUNTAIN LAKE, NH	575	575
NEW JERSEY		
BARNEGAT INLET, NJ	1,750	1,750
COLD SPRING INLET, NJ	425	425
DELAWARE RIVER AT CAMDEN, NJ	20	20
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	19,245	19,745
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	3,470	3,470
INSPECTION OF COMPLETED WORKS, NJ	65	65
NEW JERSEY INTRACOASTAL WATERWAY, NJ	2,586	2,586
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	75	75
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	425	425
PROJECT CONDITION SURVEYS, NJ	782	782
RARITAN RIVER, NJ	80	80
SHARK RIVER, NJ	590	590
NEW MEXICO		
ABIQUIU DAM, NM	1,949	3,000
COCHITI LAKE, NM	2,124	2,124
CONCHAS LAKE, NM	2,032	2,290
GALISTEO DAM, NM	510	510
INSPECTION OF COMPLETED WORKS, NM	175	175
JEMEZ CANYON DAM, NM	497	750
SANTA ROSA DAM AND LAKE, NM	1,400	1,400
SCHEDULING RESERVOIR OPERATIONS, NM	112	112
TWO RIVERS DAM, NM	369	369
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM	55	2,050
NEW YORK		
ALMOND LAKE, NY	457	457
ARKPORT DAM, NY	246	246
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,041	1,041
BUFFALO HARBOR, NY	643	643
BUFFALO RIVER, NY	---	850
BUTTERMILK CHANNEL, NY	300	300
CAPE VINCENT HARBOR, NY	11	11
CATTARAUGUS CREEK HARBOR, NY	50	50
DUNKIRK HARBOR, NY	480	480
EAST RIVER, NY	80	80
EAST ROCKAWAY INLET, NY	2,100	2,100
EAST SIDNEY LAKE, NY	501	501
FIRE ISLAND INLET TO JONES INLET, NY	175	175
FLUSHING BAY AND CREEK, NY	80	1,200
GLEN COVE CREEK, NY	80	80
GREAT SOUTH BAY, NY	80	80
HUDSON RIVER CHANNEL, NY	80	80
HUDSON RIVER, NY (MAINT)	2,245	2,245
HUDSON RIVER, NY (O&C)	3,170	3,170
INSPECTION OF COMPLETED WORKS, NY	639	639
IRONDEQUOIT BAY HARBOR, NY	10	10
JAMAICA BAY, NY	1,420	1,420
JONES INLET, NY	100	100
LAKE MONTAUK HARBOR, NY	80	80
LONG ISLAND INTRACOASTAL WATERWAY, NY	1,284	1,284

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
MATTITUCK HARBOR, NY	80	80
MORICHES INLET, NY	600	600
MT MORRIS LAKE, NY	2,040	2,040
NEW YORK AND NEW JERSEY CHANNELS, NY	3,835	6,500
NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	5,300	5,300
NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	750	750
NEW YORK HARBOR, NY	3,720	3,720
OAK ORCHARD HARBOR, NY	15	15
OLCOTT HARBOR, NY	10	10
PLATTSBURGH HARBOR, NY	590	800
PROJECT CONDITION SURVEYS, NY	2,595	2,595
ROCHESTER HARBOR, NY	35	35
SAG HARBOR, NY	2,500	2,500
SHINNECOCK INLET, NY	1,346	1,346
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	760	760
STURGEON POINT HARBOR, NY	20	20
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	595	595
WHITNEY POINT LAKE, NY	705	705
WILSON HARBOR, NY	20	20
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	806	4,000
B EVERETT JORDAN DAM AND LAKE, NC	1,829	1,829
BEAUFORT HARBOR, NC	400	400
BOGUE INLET AND CHANNEL, NC	867	867
CAPE FEAR RIVER ABOVE WILMINGTON, NC	587	587
CAROLINA BEACH INLET, NC	1,060	1,060
FALLS LAKE, NC	2,281	2,281
INSPECTION OF COMPLETED WORKS, NC	32	32
LOCKWOODS FOLLY RIVER, NC	455	700
MANTEO (SHALLOWBAG) BAY, NC	4,732	4,732
MASONBORO INLET AND CONNECTING CHANNELS, NC	45	45
MOREHEAD CITY HARBOR, NC	5,100	5,100
NEW RIVER INLET, NC	815	815
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	640	940
PAMLICO AND TAR RIVERS, NC	139	139
PROJECT CONDITION SURVEYS, NC	73	73
ROANOKE RIVER, NC	100	100
W KERR SCOTT DAM AND RESERVOIR, NC	3,480	3,480
WILMINGTON HARBOR, NC	8,213	8,213
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	177	177
GARRISON DAM, LAKE SAKAKAWEA, ND	11,939	12,039
HOMME LAKE, ND	281	281
INSPECTION OF COMPLETED WORKS, ND	15	15
LAKE ASHTABULA AND BALDHILL DAM, ND	1,354	1,354
PIPESTEM LAKE, ND	395	395
SCHEDULING RESERVOIR OPERATIONS, ND	68	68
SOURIS RIVER, ND	370	370
OHIO		
ALUM CREEK LAKE, OH	775	775
ASHTABULA HARBOR, OH	1,915	1,915
BERLIN LAKE, OH	1,857	1,857
CAESAR CREEK LAKE, OH	1,234	1,234
CLARENCE J BROWN DAM, OH	773	1,173
CLEVELAND HARBOR, OH	3,520	3,520
CONNEAUT HARBOR, OH	585	585
DEER CREEK LAKE, OH	711	1,061
DELAWARE LAKE, OH	932	932
DILLON LAKE, OH	576	576
FAIRPORT HARBOR, OH	1,090	1,290

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
HURON HARBOR, OH	860	860
INSPECTION OF COMPLETED WORKS, OH	233	233
LORAIN HARBOR, OH	3,400	3,400
MASSILLON LOCAL PROTECTION PROJECT, OH	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	789	789
MOSQUITO CREEK LAKE, OH	1,036	1,036
MUSKINGUM RIVER LAKES, OH	6,133	7,000
NORTH BRANCH KOKOSING RIVER LAKE, OH	319	319
PAINT CREEK LAKE, OH	778	778
PORT CLINTON HARBOR, OH	1,275	1,275
PORTSMOUTH HARBOR, OH	150	150
PROJECT CONDITION SURVEYS, OH	90	90
ROCKY RIVER, OH	30	30
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	30
SANDUSKY HARBOR, OH	1,010	1,200
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	175	175
TOLEDO HARBOR, OH	3,525	4,000
TOM JENKINS DAM, OH	240	240
TOUSSAINT RIVER, OH	520	520
VERMILION HARBOR, OH	205	205
WEST FORK OF MILL CREEK LAKE, OH	461	461
WEST HARBOR, OH	30	30
WILLIAM H HARSHA LAKE, OH	992	992
OKLAHOMA		
ARCADIA LAKE, OK	451	451
BIRCH LAKE, OK	602	602
BROKEN BOW LAKE, OK	1,627	1,627
CANDY LAKE, OK	19	399
CANTON LAKE, OK	1,620	1,620
COPAN LAKE, OK	821	1,100
EUFAULA LAKE, OK	5,546	6,200
FORT GIBSON LAKE, OK	4,352	4,352
FORT SUPPLY LAKE, OK	924	924
GREAT SALT PLAINS LAKE, OK	209	209
HEYBURN LAKE, OK	600	600
HUGO LAKE, OK	1,732	1,732
HULAH LAKE, OK	426	750
INSPECTION OF COMPLETED WORKS, OK	94	94
KAW LAKE, OK	1,931	1,931
KEYSTONE LAKE, OK	4,647	4,647
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK	3,923	3,923
OOLOGAH LAKE, OK	2,360	2,360
OPTIMA LAKE, OK	59	59
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	34	34
PINE CREEK LAKE, OK	1,187	1,187
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	4,648	4,648
SARDIS LAKE, OK	912	912
SCHEDULING RESERVOIR OPERATIONS, OK	389	389
SKIATOOK LAKE, OK	1,488	1,488
TENKILLER FERRY LAKE, OK	3,690	3,690
WAURIKA LAKE, OK	1,498	1,498
WEBBERS FALLS LOCK AND DAM, OK	4,178	4,178
WISTER LAKE, OK	580	580
OREGON		
APPLEGATE LAKE, OR	729	729
BLUE RIVER LAKE, OR	220	220
BONNEVILLE LOCK AND DAM, OR & WA	5,043	5,200
CHETCO RIVER, OR	---	390
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	14,770	16,300
COLUMBIA RIVER AT THE MOUTH, OR & WA	6,632	9,200
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	526	526
COOS BAY, OR	5,494	5,494

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
COQUILLE RIVER, OR	---	330
COTTAGE GROVE LAKE, OR	842	842
COUGAR LAKE, OR	732	732
DEPOE BAY, OR	---	2,000
DETROIT LAKE, OR	588	588
DORENA LAKE, OR	635	635
FALL CREEK LAKE, OR	419	419
FERN RIDGE LAKE, OR	989	989
GREEN PETER - FOSTER LAKES, OR	1,122	1,122
HILLS CREEK LAKE, OR	401	401
INSPECTION OF COMPLETED WORKS, OR	172	172
JOHN DAY LOCK AND DAM, OR & WA	3,416	4,416
LOOKOUT POINT LAKE, OR	1,613	1,613
LOST CREEK LAKE, OR	3,028	3,028
MCNARY LOCK AND DAM, OR & WA	4,626	4,626
PORT ORFORD, OR	606	606
PROJECT CONDITION SURVEYS, OR	200	200
ROGUE RIVER AT GOLD BEACH, OR	---	450
SCHEDULING RESERVOIR OPERATIONS, OR	71	71
SIUSLAW RIVER, OR	466	566
SKIPANON CHANNEL, OR	5	325
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	134
TILLAMOOK BAY AND BAR, OR	15	315
UMPQUA RIVER, OR	963	963
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	344	344
WILLAMETTE RIVER BANK PROTECTION, OR	67	67
WILLOW CREEK LAKE, OR	714	714
YAQUINA BAY AND HARBOR, OR	1,450	1,450
YAQUINA RIVER, DEPOT SLOUGH, OR	---	100
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,070	4,070
ALVIN R BUSH DAM, PA	630	630
AYLESWORTH CREEK LAKE, PA	270	270
BELTZVILLE LAKE, PA	1,171	1,171
BLUE MARSH LAKE, PA	2,513	2,513
CONEMAUGH RIVER LAKE, PA	898	948
COWANESQUE LAKE, PA	1,915	1,915
CROOKED CREEK LAKE, PA	1,746	1,746
CURWENSVILLE LAKE, PA	722	722
EAST BRANCH CLARION RIVER LAKE, PA	1,318	1,418
ERIE HARBOR, PA	60	60
FOSTER JOSEPH SAYERS DAM, PA	775	775
FRANCIS E WALTER DAM, PA	782	2,782
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	341	341
INSPECTION OF COMPLETED WORKS, PA	170	170
JOHNSTOWN, PA	1,243	1,500
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,231	1,731
LOYALHANNA LAKE, PA	957	1,007
MAHONING CREEK LAKE, PA	848	848
MONONGAHELA RIVER, PA	14,357	14,357
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	18,589	18,589
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	488	488
PROJECT CONDITION SURVEYS, PA	18	18
PROMPTON LAKE, PA	506	506
PUNXSUTAWNEY, PA	13	13
RAYSTOWN LAKE, PA	3,941	4,241
SCHEDULING RESERVOIR OPERATIONS, PA	60	60
SCHUYLKILL RIVER, PA	50	50
SHENANGO RIVER LAKE, PA	2,734	2,734
STILLWATER LAKE, PA	392	392
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	72	72
TIOGA - HAMMOND LAKES, PA	2,542	2,642
TIONESTA LAKE, PA	2,032	2,500
UNION CITY LAKE, PA	245	245

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WOODCOCK CREEK LAKE, PA	761	761
YORK INDIAN ROCK DAM, PA	543	543
YOUGHIOGHENY RIVER LAKE, PA & MD	1,895	1,895
RHODE ISLAND		
BLOCK ISLAND HARBOR OF REFUGE, RI	502	502
POINT JUDITH POND AND HARBOR OF REFUGE	---	120
INSPECTION OF COMPLETED WORKS, RI	6	6
PROJECT CONDITION SURVEYS, RI	2,330	2,330
PROVIDENCE RIVER AND HARBOR, RI	8,220	17,000
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	264	3,000
CHARLESTON HARBOR, SC	10,516	10,516
COOPER RIVER, CHARLESTON HARBOR, SC	3,140	6,890
FOLLY RIVER	---	257
GEORGETOWN HARBOR, SC	3,073	3,700
INSPECTION OF COMPLETED WORKS, SC	26	26
PORT ROYAL HARBOR, SC	---	1,000
PROJECT CONDITION SURVEYS, SC	69	69
SHIPYARD RIVER, SC	816	816
TOWN CREEK, SC	---	396
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	9,137	9,137
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	---	5,000
COLD BROOK LAKE, SD	211	211
COTTONWOOD SPRINGS LAKE, SD	184	184
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	9,016	9,016
INSPECTION OF COMPLETED WORKS, SD	24	24
LAKE TRAVERSE, SD & MN	504	504
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	500	500
OAHE DAM, LAKE OAHE, SD & ND	12,885	12,885
SCHEDULING RESERVOIR OPERATIONS, SD	69	69
TENNESSEE		
CENTER HILL LAKE, TN	6,031	6,031
CHEATHAM LOCK AND DAM, TN	6,257	6,257
CHICKAMAUGA LOCK, TN	1,025	1,025
CORDELL HULL DAM AND RESERVOIR, TN	6,407	6,407
DALE HOLLOW LAKE, TN	5,720	5,720
INSPECTION OF COMPLETED WORKS, TN	129	129
J PERCY PRIEST DAM AND RESERVOIR, TN	2,954	2,954
OLD HICKORY LOCK AND DAM, TN	6,598	6,598
PROJECT CONDITION SURVEYS, TN	6	6
TENNESSEE RIVER, TN	15,794	15,794
WOLF RIVER HARBOR, TN	19	440
TEXAS		
AQUILLA LAKE, TX	743	743
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,373	1,373
BARBOUR TERMINAL CHANNEL, TX	606	606
BARDWELL LAKE, TX	1,574	1,574
BAYPORT SHIP CHANNEL, TX	2,389	2,389
BELTON LAKE, TX	2,707	3,100
BENBROOK LAKE, TX	2,011	2,011
BRAZOS ISLAND HARBOR, TX	2,143	2,143
BUFFALO BAYOU AND TRIBUTARIES, TX	3,126	3,126
CANYON LAKE, TX	2,498	2,498
CORPUS CHRISTI SHIP CHANNEL, TX	5,669	5,669
DENISON DAM, LAKE TEXOMA, TX	6,132	6,732

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	5	5
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	2,682	2,682
FREEPORT HARBOR, TX	7,298	7,298
GALVESTON HARBOR AND CHANNEL, TX	4,887	4,887
GRANGER DAM AND LAKE, TX	1,612	1,612
GRAPEVINE LAKE, TX	2,602	2,602
GULF INTRACOASTAL WATERWAY, TX	20,829	22,300
HORDS CREEK LAKE, TX	1,250	1,250
HOUSTON SHIP CHANNEL, TX	8,254	12,000
INSPECTION OF COMPLETED WORKS, TX	498	498
JIM CHAPMAN LAKE, TX	1,248	1,248
JOE POOL LAKE, TX	823	823
LAKE KEMP, TX	150	150
LAVON LAKE, TX	2,609	2,609
LEWISVILLE DAM, TX	3,134	3,134
MATAGORDA SHIP CHANNEL, TX	1,748	1,748
MOUTH OF THE COLORADO RIVER, TX	2,604	2,604
NAVARRO MILLS LAKE, TX	1,676	1,676
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,835	2,835
O C FISHER DAM AND LAKE, TX	872	872
PAT MAYSE LAKE, TX	1,116	1,116
PROCTOR LAKE, TX	1,623	2,200
PROJECT CONDITION SURVEYS, TX	50	50
RAY ROBERTS LAKE, TX	862	862
SABINE - NECHES WATERWAY, TX	14,986	14,986
SAM RAYBURN DAM AND RESERVOIR, TX	4,559	4,559
SCHEDULING RESERVOIR OPERATIONS, TX	255	255
SOMERVILLE LAKE, TX	2,683	2,683
STILLHOUSE HOLLOW DAM, TX	1,805	1,805
TEXAS WATER ALLOCATION ASSESSMENT, TX	300	400
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	2,135	2,135
TRINITY RIVER AND TRIBUTARIES, TX	---	300
WACO LAKE, TX	2,270	3,158
WALLISVILLE LAKE, TX	999	999
WHITNEY LAKE, TX	5,205	5,205
WRIGHT PATMAN DAM AND LAKE, TX	2,742	2,742
UTAH		
INSPECTION OF COMPLETED WORKS, UT	81	81
SCHEDULING RESERVOIR OPERATIONS, UT	364	364
VERMONT		
BALL MOUNTAIN LAKE, VT	705	705
BURLINGTON HARBOR BREAKWATER, VT	2,150	800
INSPECTION OF COMPLETED WORKS, VT	26	26
NARROWS OF LAKE CHAMPLAIN, VT & NY	95	95
NORTH HARTLAND LAKE, VT	576	576
NORTH SPRINGFIELD LAKE, VT	647	647
TOWNSHEND LAKE, VT	687	687
UNION VILLAGE DAM, VT	538	538
VIRGINIA		
APPOMATTOX RIVER, VA	---	1,000
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	2,035	2,035
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	1,159	1,159
CHINCOTEAGUE HARBOR OF REFUGE, VA	155	155
CHINCOTEAGUE INLET, VA	1,124	1,124
DAVIS CREEK, VA	350	350
DEEP CREEK, NEWPORT NEW, VA	---	800
GATHRIGHT DAM AND LAKE MOOMAW, VA	1,612	1,612
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR (DRIFT REMOVAL	1,200	1,200
HORN HARBOR, VA	270	270
INSPECTION OF COMPLETED WORKS, VA	111	111

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
JAMES RIVER CHANNEL, VA	3,801	4,300
JOHN H KERR LAKE, VA & NC	9,890	9,890
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,334	1,334
LYNNHAVEN INLET, VA	225	425
NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	200	200
NORFOLK HARBOR, VA	8,679	8,679
NORTH FORK OF POUND RIVER LAKE, VA	297	297
OCCOQUAN RIVER, VA	---	2,000
PHILPOTT LAKE, VA	4,377	4,377
PROJECT CONDITION SURVEYS, VA	749	749
QUINBY CREEK, VA	400	400
RUDEE INLET, VA	1,030	1,030
WATERWAY ON THE COAST OF VIRGINIA, VA	1,150	1,150
WHITINGS CREEK, MIDDLESEX CO, VA	350	350
YORK RIVER, VA	---	750
WASHINGTON		
CHIEF JOSEPH DAM, WA	853	853
COLUMBIA RIVER AT BAKER BAY, WA	---	630
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,355	1,355
GRAYS HARBOR AND CHEHALIS RIVER, WA	8,781	11,500
HOWARD HANSON DAM, WA	1,777	1,777
ICE HARBOR LOCK AND DAM, WA	5,065	5,065
INSPECTION OF COMPLETED WORKS, WA	257	257
LAKE WASHINGTON SHIP CANAL, WA	7,479	7,479
LITTLE GOOSE LOCK AND DAM, WA	1,268	1,268
LOWER GRANITE LOCK AND DAM, WA	5,244	5,244
LOWER MONUMENTAL LOCK AND DAM, WA	3,291	3,291
MILL CREEK LAKE, WA	947	947
MT ST HELENS SEDIMENT CONTROL, WA	321	321
MUD MOUNTAIN DAM, WA	2,075	2,075
NEAH BAY, WA	---	1,200
PROJECT CONDITION SURVEYS, WA	253	253
PUGET SOUND AND TRIBUTARY WATERS, WA	999	999
QUILLAYUTE RIVER, WA	975	975
SCHEDULING RESERVOIR OPERATIONS, WA	439	439
SEATTLE HARBOR, WA	640	640
STILLAGUAMISH RIVER, WA	247	247
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	60	60
TACOMA, PUYALLUP RIVER, WA	127	127
THE DALLES LOCK AND DAM, WA & OR	2,264	2,264
WILLAPA RIVER AND HARBOR, WA	492	492
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,167	1,167
BLUESTONE LAKE, WV	1,149	5,149
BURNSVILLE LAKE, WV	1,555	1,555
EAST LYNN LAKE, WV	1,832	1,832
ELK RIVER HARBOR, WV	440	440
ELKINS, WV	16	16
INSPECTION OF COMPLETED WORKS, WV	131	131
KANAWHA RIVER LOCKS AND DAMS, WV	7,544	7,544
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	18,991	18,991
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	3,260	3,260
R D BAILEY LAKE, WV	1,431	1,431
STONEWALL JACKSON LAKE, WV	905	905
SUMMERSVILLE LAKE, WV	1,603	1,603
SUTTON LAKE, WV	1,777	1,777
TYGART LAKE, WV	5,546	5,546

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
WISCONSIN		
ASHLAND HARBOR, WI	180	180
EAU GALLE RIVER LAKE, WI	820	820
FOX RIVER, WI	1,372	6,372
GREEN BAY HARBOR, WI	1,924	1,924
INSPECTION OF COMPLETED WORKS, WI	31	31
KENOSHA HARBOR, WI	1,315	1,315
KEWAUNEE HARBOR, WI	75	75
MANITOWOC HARBOR, WI	278	278
MILWAUKEE HARBOR, WI	789	789
OCONTO HARBOR, WI	13	13
PORT WASHINGTON HARBOR, WI	261	261
PORT WING HARBOR, WI	6	6
PROJECT CONDITION SURVEYS, WI	56	56
SAXON HARBOR, WI	45	45
SHEBOYGAN HARBOR, WI	1,603	1,603
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	1,578	1,578
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	498	498
TWO RIVERS HARBOR, WI	471	471
WYOMING		
JACKSON HOLE LEVEES, WY	1,233	1,233
SCHEDULING RESERVOIR OPERATIONS, WY	101	101
MISCELLANEOUS		
AQUATIC NUISANCE CONTROL RESEARCH	725	725
AUTOMATED BUDGET SYSTEM (WINABS)	285	285
COASTAL INLET RESEARCH PROGRAM	2,750	2,750
CULTURAL RESOURCES (NAGPRA/CURATION)	1,545	1,545
DREDGE WHEELER READY RESERVE	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,180	1,180
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,755	6,755
DREDGING OPERATIONS TECHNICAL SUPPORT (DOTS) PROGRAM	1,545	1,545
EARTHQUAKE HAZARDS PROGRAM FOR BUILDINGS AND LIFELINES	300	300
FACILITY PROTECTION	64,000	35,000
GREAT LAKES SEDIMENT TRANSPORT MODELS	1,000	1,000
HARBOR MAINTENANCE FEE DATA COLLECTION	675	675
INLAND WATERWAY NAVIGATION PROJECTS	4,120	4,120
MONITORING OF COASTAL NAVIGATION PROJECTS	1,750	1,750
NATIONAL DAM SAFETY PROGRAM	45	45
NATIONAL DAM SECURITY PROGRAM	30	30
NATIONAL EMERGENCY PREPAREDNESS PROGRAMS (NEPP)	4,120	4,120
NATIONAL LEWIS AND CLARK COMMEMORATION COORDINATOR	310	310
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	815	815
PROTECTING, CLEARING AND STRAIGHTENING CHANNELS(SEC 3)	50	50
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,545	1,545
REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM	1,545	1,545
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	675	675
REMOVAL OF SUNKEN VESSELS	500	500
WATER OPERATIONS TECHNICAL SUPPORT (WOTS) PROGRAM	725	725
WATERBORNE COMMERCE STATISTICS	4,745	4,745
HYDROPOWER MAINTENANCE	---	-49,000
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-19,091	-80,000
ADJUSTMENT FOR ACTUAL RETIREMENT ACCRUALS	-240	---
TOTAL, OPERATION AND MAINTENANCE	1,913,760	1,940,167

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriates $36,228,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the House and the Senate.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Bureau of Reclamation. Additional items of conference agreement are discussed below.

WATER AND RELATED RESOURCES

The conference agreement appropriates $813,491,000 for Water and Related Resources instead of $807,518,000 as proposed by the House and $816,147,000 as proposed by the Senate.

The conference agreement provides $1,097,000 for the South/Central Arizona Investigations program, including $300,000 for the West Salt River Valley Water Management study.

The amount provided for the American River Division of the Central Valley Project includes $500,000 for work associated with the construction of a parallel pipeline to serve the City of Roseville and the San Juan Water District; and $750,000 for the Bureau of Reclamation to initiate construction of a temperature control device on the El Dorado Irrigation District water intake.

The amount provided for the Delta Division of the Central Valley Project includes $900,000 for the Bureau of Reclamation to continue design of an intertie between the Delta-Mendota Canal and the California Aqueduct.

The amount provided for the East Side Division of the Central Valley Project includes an additional $1,000,000 for the Bureau of Reclamation to continue work to upgrade the water and sewer systems at New Melones Lake and perform a visitor capacity study at New Melones Lake.

The amount provided for Miscellaneous Project Programs of the Central Valley Project includes $300,000 for post-construction activities at the Banta-Carbona Irrigation District fish screen project; $300,000 for an investigation of resource problems and needs in the Mokelumne River watershed; and $400,000 for phase II of the Kaweah River Delta Corridor Enhancement study.

The amount provided for the Sacramento River Division of the Central Valley Project includes $2,000,000 for the continuing evaluation of water diversion and fishery protection options at the Red Bluff Diversion Dam; $400,000 for implementation of the Colusa Basin Integrated Resources Management Plan for critical flood control, conjunctive use, and waterfowl habitat activities; $1,500,000 for the Bureau of Reclamation to accelerate investigations associated with determining the feasibility of construction at the Sites Reservoir and other activities described in the House Report; and $500,000 for the Bureau of Reclamation to participate with Butte County, California, in development of an integrated resource management plan.

The conference agreement includes $1,342,000 for the Southern California Investigations Program, including $200,000 for the Bureau of Reclamation to work with the Antelope Valley-East Kern Water Agency as described in the House Report, and $300,000 for the Bureau of Reclamation to participate with the Santa Ana Watershed Project Authority in the Chino Basin Conjunctive Use Program.

The report requested in the House Report related to the City of Needles, California, should be provided 30 days after enactment of this Act.

The conference agreement includes $3,000,000 for the Lake Tahoe Regional Wetlands Development Program in California and Nevada as proposed by the House and the Senate. The conferees have also agreed to include language in the bill which authorizes the Bureau of Reclamation to negotiate and enter into financial assistance agreements with public and private organizations for activities under the Program and which provides that costs associated with such activities are non-reimbursable.

The conferees direct the Bureau of Reclamation, under the Santa Margarita feasibility authorization, to perform the studies needed to address current and future municipal, domestic, military, environmental, and other water uses from the Santa Margarita River, California.

The conference agreement includes $15,000,000 for the Columbia and Snake Rivers Salmon Recovery project in Idaho, Oregon, and Washington. Within the funds provided, $500,000 is for continued fishery habitat improvements in the John Day River Subbasin project in Oregon.

The conferees are aware of the pending biological opinion in effect on the Rio Grande. In New Mexico, municipalities, farmers, and the silvery minnow all compete for water, a scarce resource. Add the current drought conditions, and a delicate balance must be maintained. Accordingly, the conference agreement for the Middle Rio Grande project includes funding for the following activities: $3,834,000 for habitat restoration; $1,615,000 for silvery minnow population management; $480,000 for fish passage activities; $200,000 for non-native species management; $3,415,000 for water management activities; and $507,000 for activities to improve water quality. The conferees direct the Bureau of Reclamation to consult with the Fish and Wildlife Service on silvery minnow monitoring and habitat efforts.

The conferees have provided $707,000 for the Oklahoma Investigations Program, including $500,000 for a hydrology and water resources management study of the Arbuckle-Simpson Aquifer.

The conference agreement includes $4,599,000 for the Drought Emergency Assistance Program. Of the total, $400,000 is for drought emergency planning in Nebraska; $500,000 is to rehabilitate and replace existing wells and construct new wells in the City and County of Santa Fe, New Mexico; $800,000 is for assistance to the State of Montana; and $2,000,000 is for a regional weather modification program in the states of Kansas, Nevada, New Mexico, Oklahoma, and Texas. The conferees also urge the Bureau of Reclamation to provide full and fair consideration of the request for drought assistance from the State of Hawaii.

The conferees are in agreement that funds made available in Public Law 107–117 and in this Act for increased site security and other counter-terrorism activities shall be non-reimbursable.

Within the funds provided for the Water Management and Conservation Program, $500,000 is for water conservation programs within the service area of the Metropolitan Water District of Southern California.

The conference agreement includes $3,500,000 for the Title XVI Water Reclamation and Reuse Program, including $2,000,000 to support the WateReuse Foundation's research program, and $125,000 for an appraisal level investigation of water recycling opportunities in the Desert Hot Springs area of California. In addition, the Bureau of Reclamation is directed to undertake feasibility studies of the potential for water reclamation and reuse in North Las Vegas, Nevada, in cooperation with the Southern Nevada Water Authority.

The conference agreement includes $4,000,000 for the Desalination Research and Development Program. Within the amount provided, $3,000,000 is for construction of a national desalination research facility to be located in the Tularosa Basin, New Mexico. With the funds provided, the Bureau of Reclamation shall develop and implement a coordinated research investment strategy based on the Tularosa Basin National Desalination Research Center feasibility study developed during fiscal year 2002.

The conference agreement includes bill language which provides that $10,000,000 of the funds appropriated for Water and Related Resources shall be deposited in the San Gabriel Basin Restoration Fund, instead of $12,000,000 as proposed by the House.

The conference agreement does not include language proposed by the Senate related to drought assistance.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement appropriates $48,904,000 for the Central Valley Project Restoration Fund as proposed by the House and the Senate.

The conferees are in agreement with the language in the House Report regarding the Glenn-Colusa Irrigation District Fish Screen Improvement Project and the Anadromous Fish Screen Program.

CALIFORNIA BAY-DELTA ECOSYSTEM RESTORATION

The conference agreement includes no funds in the California Bay-Delta Ecosystem Restoration account as proposed by the House and the Senate.

The conferees have provided an additional $23,000,000 within the various units of the Central Valley Project under the Water and Related Resources account for activities that support the goals of the California Bay-Delta Ecosystem Restoration Program, instead of $30,000,000 as proposed by the Senate. The conferees are aware that legislation to authorize this multi-year, multi-billion dollar program is under consideration by the Congress, but has yet to be enacted. Absent such an authorization, it will be difficult for the Congress to continue its support for this program. Therefore, the conferees strongly urge the parties involved to work to enact an authorization for the program so additional funding can be considered in the fiscal year 2004 appropriations cycle. The additional funds provided in support of the program are to be used as follows:

Delta Division: $2,500,000 for planning and management activities; $250,000 to continue evaluations of the Delta Wetlands project and other in-delta storage proposals; $2,000,000 for planning activities associated with enlarging the Los Vaqueros reservoir; and $3,500,000 to construct the Tracy Fish Test Facility.

Friant Division: $1,750,000 for storage investigations in the Upper San Joaquin Watershed.

Miscellaneous Project Programs: $9,000,000 for the Environmental Water Account.

Sacramento River Division: $1,500,000 to continue planning activities related to Sites Reservoir.

Shasta Division: $2,500,000 to continue evaluating the potential impacts of the proposed Shasta Dam raise.

ADMINISTRATIVE PROVISION

The conference agreement provides that funds available for the Bureau of Reclamation shall be available for the purchase of not to exceed 16 passenger motor vehicles, of which 12 are for replacement only, as proposed by the House, instead of the purchase of four passenger motor vehicles for replacement only as proposed by the Senate.

POLICY AND ADMINISTRATION

The conference agreement appropriates $54,870,000 for Policy and Administration as proposed by the House and the Senate.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

Section 201.—The conference agreement includes language proposed by the House authorizing the Bureau of Reclamation to continue its program of providing grants to institutions of higher learning to support the training of Native Americans to manage natural resources. The conferees have agreed to make the language permanent as proposed in the Administration's fiscal year 2004 budget request.

Section 202.—The conference agreement includes language proposed by the House and the Senate regarding the San Luis Unit and the Kesterson Reservoir in California.

Section 203.—The conference agreement includes language proposed by the House which amends section 212 of the Energy and Water Development Appropriations Act, 2001, related to Sly Park Unit in California.

Section 204.—The conference agreement includes language proposed by the House which clarifies that the San Gabriel Basin Restoration Fund may be used to reimburse the Central Basin Municipal Water District for certain expenditures.

Section 205.—The conference agreement includes language proposed by the Senate establishing requirements for the purchase or lease of water from the Middle Rio Grande or Carlsbad projects in New Mexico.

Section 206.—The conference agreement includes language proposed by the Senate concerning drought emergency assistance.

Section 207.—The conference agreement includes language proposed by the Senate regarding the restoration of fish, wildlife, and associated habitats in watersheds of certain lakes.

Section 208.—The conference agreement includes language proposed by the Senate regarding contracting percentages for the Bureau of Reclamation.

Section 209.—The conference agreement includes language proposed by the Senate directing the Bureau of Reclamation to undertake studies for the North Central Montana Rural Water Supply project.

Section 210.—The conference agreement includes language proposed by the Senate extending the authorization for the Water Desalination Act of 1996.

Section 211.—The conference agreement includes language proposed by the Senate authorizing the North Las Vegas Water Reuse project.

Section 212.—The conference agreement includes language which provides that none of the funds appropriated or otherwise made available in this Act or any prior any Energy and Water Development Appropriations Division may be used for the settlement agreement of Sumner Peck Ranch, Inc. v. Bureau of Reclamation (Civ. No F–91–048 OWW (E.D. Cal)).

Section 213.—The conference agreement includes language which amends the Salton Sea Reclamation Act of 1998. The conferees have also agreed to provide $2,000,000 for the Bureau of Reclamation to continue the program to perform research and construct water reclamation and wetlands projects to improve water quality in the Alamo River and New River, Imperial County, California.

Section 214.—The conference agreement includes language authorizing the Bureau of Reclamation to conduct a feasibility study of options for additional water storage in the Yakima River Basin with emphasis on the feasibility of storage of Columbia River water in the potential Black Rock Reservoir. The conferees have provided $1,000,000 for this work.

Section 215.—The conference agreement includes language proposed by the Senate related to certain CALFED related activities undertaken by the Secretary of the Interior. The language has been amended to remove the reference to the CALFED Bay-Delta Authority. The conferees agree that this language does not authorize the CALFED Record of Decision.

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WATER AND RELATED RESOURCES				
ARIZONA				
AK CHIN WATER RIGHTS SETTLEMENT ACT PROJECT	---	6,200	---	6,200
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN	34,709	74	34,709	74
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	731	10,240	731	10,240
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	3,450	---	5,450	---
FORT MCDOWELL SETTLEMENT ACT	500	---	500	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	422	---	422	---
PHOENIX METROPOLITAN WATER REUSE PROJECT	250	---	250	---
SALT RIVER PROJECT	39	---	39	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJECT	4,825	---	4,825	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	797	---	1,097	---
TRES RIOS WETLANDS DEMONSTRATION	200	---	500	---
TUCSON AREA WATER RECLAMATION AND REUSE STUDY	100	---	100	---
YUMA AREA PROJECTS	1,658	19,107	1,658	19,107
CALIFORNIA				
CACHUMA AREA PROJECTS	778	557	778	557
CALIFORNIA INVESTIGATIONS PROGRAM	417	---	417	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PLANT	1,000	---	1,400	---
CENTRAL VALLEY PROJECT:				
AMERICAN RIVER DIVISION	2,043	9,658	3,293	9,658
AUBURN-FOLSOM SOUTH UNIT	7,707	44	7,707	44
DELTA DIVISION	11,095	5,323	18,245	5,323
EAST SIDE DIVISION	1,230	3,855	1,230	4,855
FRIANT DIVISION	2,276	3,024	4,026	3,024

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
MISCELLANEOUS PROJECT PROGRAMS	12,726	1,027	22,726	1,027
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT.	---	16,000	---	11,000
SACRAMENTO RIVER DIVISION	4,921	1,780	7,821	1,780
SAN FELIPE DIVISION	519	---	519	---
SAN JOAQUIN DIVISION	249	---	249	---
SHASTA DIVISION	1,543	8,042	4,043	8,042
TRINITY RIVER DIVISION	7,727	5,572	7,727	5,572
WATER AND POWER OPERATIONS	1,791	7,614	1,791	7,614
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	5,989	6,018	5,989	6,018
YIELD FEASIBILITY INVESTIGATION	1,000	---	1,000	---
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	200	---	3,000	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT	1,500	---	1,800	---
LONG BEACH DESALINATION PROJECT	---	---	1,000	---
MISSION BASIN BRACKISH GROUNDWATER DESALTING DEMO	---	---	300	---
NAPA- SOMOMA - MARIN AGRICULTURAL REUSE PROJECT	---	---	500	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT	1,800	---	2,000	---
ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT, PHAS	1,800	---	2,000	---
ORLAND PROJECT	39	430	39	430
PASADENA RECLAIMED WATER PROJECT	---	---	500	---
SALTON SEA RESEARCH PROJECT	1,000	---	3,000	---
SAN DIEGO AREA WATER RECLAMATION PROGRAM	6,000	---	6,500	---
SAN DIEGO RIVER RESTORATION	---	---	500	---
SAN GABRIEL BASIN PROJECT	1,800	---	1,800	---
SAN GABRIEL BASIN RESTORTATION PROJECT	---	---	10,000	---
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM	2,000	---	3,000	---
SOLANO PROJECT	1,248	1,513	1,248	1,513
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	842	---	1,342	---
WATSONVILLE AREA WATER RECYCLING PROJECT	---	---	500	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE ALLOWANCE RESOURCES MANAGEMENT	CONFERENCE ALLOWANCE FACILITIES OM&R
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP SECTION 5 & 8	33,000	---	35,000	---
COLLBRAN PROJECT	122	1,212	122	1,212
COLORADO INVESTIGATIONS PROGRAM	75	---	75	---
COLORADO-BIG THOMPSON PROJECT	12	10,265	12	10,265
COLORADO-BIG THOMPSON PROJECT - HORSETOOTH DAM	---	31,100	---	31,100
FRUITGROWERS DAM PROJECT	41	118	41	118
FRYINGPAN-ARKANSAS PROJECT	---	6,785	---	6,985
GRAND VALLEY UNIT, CRBSCP, TITLE II	224	612	224	612
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	582	1,552	582	1,552
MANCOS PROJECT	28	50	28	50
PARADOX VALLEY UNIT, CRBSCP, TITLE II	50	1,968	50	1,968
PINE RIVER PROJECT	58	65	58	65
SAN LUIS VALLEY PROJECT	399	4,066	399	4,066
UNCOMPAHGRE PROJECT	143	113	143	113
IDAHO				
BOISE AREA PROJECTS	2,714	3,192	2,714	3,192
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	15,000	---	15,000	---
DRAIN WATER MANAGEMENT STUDY, BOISE PROJECT	100	---	100	---
IDAHO INVESTIGATIONS PROGRAM	578	---	578	---
MINIDOKA AREA PROJECTS	3,282	2,194	3,282	2,194
MINIDOKA NORTHSIDE DRAIN WATER MANAGEMENT PROGRAM	200	---	200	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	235	---	235	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WICHITA PROJECT	---	285	---	285
MONTANA				
FORT PECK DRY PRAIRIE RURAL WATER SYSTEM	---	---	7,500	---
HUNGRY HORSE PROJECT	---	300	---	300
MILK RIVER PROJECT	320	826	320	826
MONTANA INVESTIGATIONS	475	---	475	---
ROCKY BOYS INDIAN WATER RIGHTS SETTLEMENT	4,600	---	4,600	---
NEBRASKA				
MIRAGE FLATS PROJECT	---	78	---	78
NEBRASKA INVESTIGATIONS PROGRAM	71	---	71	---
NEVADA				
HALFWAY WASH PROJECT STUDY	---	---	390	---
LAHONTAN BASIN PROJECT	6,215	2,339	6,215	2,339
LAKE MEAD/LAS VEGAS WASH PROGRAM	1,000	---	1,500	---
SOUTHERN NEVADA WATER RECYCLING PROJECT	---	---	3,000	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE	---	---	400	---
CARLSBAD PROJECT	1,644	1,126	1,644	1,126
CONCHAS PROJECT STUDY	---	---	100	---
EASTERN NEW MEXICO WATER SUPPLY	---	---	250	---
MIDDLE RIO GRANDE PROJECT	7,200	8,263	17,200	18,263

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
NAVAJO GALLUP WATER SUPPLY PROJECT	300	---	300	---
NAVAJO NATION INVESTIGATIONS PROGRAM	300	---	300	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	27	---	500
RIO GRANDE PROJECT	1,054	2,953	1,054	2,953
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	243	---	243	---
SANTA FE - WATER RECLAMATION AND REUSE PROJECT	---	---	500	---
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	196	---	196	---
TUCUMCARI PROJECT	19	---	19	---
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	165	---	165	---
NORTH DAKOTA				
DAKOTAS INVESTIGATIONS PROGRAM	239	---	239	---
DAKOTAS TRIBES INVESTIGATIONS PROGRAM	400	---	400	---
GARRISON DIVERSION UNIT	20,662	4,577	24,000	4,577
OKLAHOMA				
ARBUCKLE PROJECT	---	193	---	193
MCGEE CREEK PROJECT	---	452	---	452
MOUNTAIN PARK PROJECT	---	306	---	306
NORMAN PROJECT	225	208	475	208
OKLAHOMA INVESTIGATIONS PROGRAM	207	---	707	---
WASHITA BASIN PROJECT	---	742	---	742
W.C. AUSTIN PROJECT	---	293	---	293
OREGON				
CROOKED RIVER PROJECT	301	546	301	546

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DESCHUTES ECOSYSTEM RESTORATION PROJECT	500	---	875	---
DESCHUTES PROJECT	382	152	382	152
DESCHUTES PROJECT-WICKUP DAM	---	12,300	---	12,300
DESCHUTES PROJECT, TUMALO, BEND FEED CANAL	---	---	1,300	---
EASTERN OREGON PROJECTS	308	275	308	275
GRANDE RONDE WATER OPTIMIZATION STUDY	150	---	150	---
KLAMATH PROJECT	13,644	623	16,500	623
OREGON INVESTIGATIONS PROGRAM	333	---	333	---
ROUGE RIVER BASIN PROJECT, SAVAGE RAPIDS PUMPING PLANT	---	---	250	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	454	169	454	169
TUALATIN PROJECT	238	125	238	125
TUALATIN VALLEY WATER SUPPLY FEASIBILITY STUDY	25	---	25	---
UMATILLA BASIN PROJECT, PHASE III STUDY	50	---	300	---
UMATILLA PROJECT	408	2,363	408	2,363
WILLOW LAKE NATURAL TREATMENT SYSTEM	---	---	600	---
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	2,000	---	7,000	---
MID-DAKOTA RURAL WATER PROJECT	10,000	40	17,860	40
MNI WICONI PROJECT	23,292	8,228	30,772	8,228
PERKINS COUNTY RURAL WATER SALVAGE PROJECT	---	---	4,300	---
RAPID VALLEY PROJECT, DEERFIELD DAM	---	27	---	27
TEXAS				
AUSTIN WATER RECLAMATION PROJECT	---	---	275	---
BALMORHEA PROJECT	---	71	---	71
CANADIAN RIVER PROJECT	---	109	---	109

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
EL PASO WATER RECLAMATION AND REUSE	---	---	800	---
LEON CREEK QUARRY/MITCHELL LAKE WATER REUSE PROJECTA	---	---	500	---
LOWER RIO GRANDE VALLEY WATER RESOURCE CONSERVATION	---	---	1,500	---
NUECES RIVER	---	392	---	392
SAN ANGELO PROJECT	---	307	---	307
TEXAS INVESTIGATIONS PROGRAM	217	---	217	---
UTAH				
HYRUM PROJECT	120	24	120	24
MOON LAKE PROJECT	43	53	43	53
NAVAJO SANDSTONE AQUIFER RECHARGE STUDY	100	---	100	---
NEWTON PROJECT	52	21	52	21
NORTHERN UTAH INVESTIGATIONS PROGRAM	301	---	301	---
OGDEN RIVER PROJECT	350	44	350	44
PROVO RIVER PROJECT	677	493	677	493
SCOFIELD PROJECT	97	27	97	27
SOUTHERN UTAH INVESTIGATIONS PROGRAM	279	---	279	---
STRAWBERRY VALLEY PROJECT	107	7	107	7
WEBER BASIN PROJECT	1,455	399	1,455	399
WEBER RIVER PROJECT	52	71	52	71
WASHINGTON				
COLUMBIA BASIN PROJECT	4,485	6,346	4,885	6,346
SALMON CREEK WATERSHED RESTORATION, WA	---	---	250	---
WASHINGTON INVESTIGATIONS PROGRAM	518	---	518	---
YAKIMA PROJECT	598	6,156	598	6,156
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	11,900	---	13,800	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE ALLOWANCE RESOURCES MANAGEMENT	CONFERENCE ALLOWANCE FACILITIES OM&R
YAKIMA RIVER BASIN WATER STORAGE	---	---	1,000	---
WYOMING				
KENDRICK PROJECT	4	2,568	4	2,568
NORTH PLATTE PROJECT	10	1,324	10	1,324
SHOSHONE PROJECT	10	1,232	10	1,232
WYOMING INVESTIGATIONS PROGRAM	37	---	37	---
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II:				
PROGRAM & COLORADO RIVER WATER QUALITY IMPROVEMENT	10,087	---	10,087	---
COLORADO RIVER STORAGE PROJECT, SECTION 5	7,178	2,302	7,278	2,302
COLORADO RIVER STORAGE PROJECT, SECTION 8, R&F&WL	3,970	22	3,970	22
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	150	---	150	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM	---	1,275	---	1,275
INITIATE SOD CORRECTIVE ACTION	---	21,910	---	21,910
SAFETY EVALUATION OF EXISTING DAMS	---	14,315	---	14,315
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	---	50	---	50
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM	2,600	---	3,350	---
DROUGHT EMERGENCY ASSISTANCE	899	---	4,599	---
EFFICIENCY INCENTIVES PROGRAM	3,087	---	3,087	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM	---	334	---	334
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	12,747	---	12,747	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	1,706	---	1,706	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	1,890	---	1,890	---
EXAMINATION OF EXISTING STRUCTURES	---	5,597	---	5,597

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,390	---	1,390
GENERAL PLANNING STUDIES	2,195	---	1,900	---
LAND RESOURCES MANAGEMENT PROGRAM	9,689	---	8,000	---
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	275	---	275	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	12,421	---	12,421	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	594	---	594
NATIONAL FISH & WILDLIFE FOUNDATION	850	---	850	---
NATIVE AMERICAN AFFAIRS PROGRAM	8,500	---	8,500	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING	1,185	---	1,185	---
OPERATION & MAINTENANCE PROGRAM MANAGEMENT	420	921	420	921
PICK-SLOAN MISSOURI BASIN - OTHER PROJECTS	2,828	30,759	2,828	30,759
POWER PROGRAM SERVICES	969	244	969	244
PUBLIC ACCESS AND SAFETY PROGRAM	420	---	420	---
RECLAMATION LAW ADMINISTRATION	4,469	---	4,000	---
RECLAMATION RECREATION MANAGEMENT - TITLE XXVIII	2,800	---	2,800	---
RECREATION & FISH & WILDLIFE PROGRAM ADMINISTRATION	2,292	---	2,292	---
SCIENCE AND TECHNOLOGY:				
ADVANCED WATER TREATMENT DESALINATION PROGRAM	1,310	---	1,310	---
APPLIED SCIENCE /TECHNOLOGY AND DEVELOPMENT	3,490	---	3,490	---
DESALINATION RESEARCH AND DEVELOPMENT PROGRAM	100	---	4,000	---
HYDROELECTRIC INFRASTRUCTURE PROTECTION/ENHANCEMEN	900	---	900	---
TECHNOLOGY ADVANCEMENT	350	---	350	---
WATERSHED/RIVER SYSTEMS MANAGEMENT PROGRAM	1,000	---	1,000	---
SITE SECURITY	---	28,440	---	28,440
SOIL AND MOISTURE CONSERVATION	326	---	326	---
TECHNICAL ASSISTANCE TO STATES	1,942	---	1,900	---
TITLE XVI, WATER RECLAMATION AND REUSE PROGRAM	1,500	---	3,500	---
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	67	---	67	---
WATER MANAGEMENT & CONSERVATION PROGRAM	6,581	---	6,581	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE ALLOWANCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WETLANDS DEVELOPMENT	3,117	---	3,617	---
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS	-37,942	---	-80,700	---
TOTAL, WATER AND RELATED RESOURCES	381,164	344,983	461,835	351,656

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

BUDGET JUSTIFICATION REQUIREMENTS

The conferees agree with the House language regarding prior approval of proposed budget structure changes. The conferees also agree that budget justifications submitted by the Department must include a section identifying the last year that authorizing legislation was provided by Congress for each program, funding within each construction project data sheet for elimination of excess facilities at least equal to the square footage of new replacement facilities being requested, and funding to eliminate excess facilities at least equal to the square footage of new replacement facilities being constructed as general plant projects.

SAFEGUARDS AND SECURITY FUNDING

The conferees direct the Department to continue to identify safeguards and security funding as a separate line item in the budget justifications. The conferees also direct the Department to review contractor cost allocation practices to ensure that contractor practices are in compliance with the Cost Accounting Standards and that safeguards and security costs are not being allocated a disproportionate share of indirect costs. The Committees on Appropriations should be informed of the results of this review upon completion.

MANAGEMENT OF NON-NNSA WORK AT NNSA FACILITIES

The conferees direct the Secretary to report promptly to the House and Senate Committees on Appropriations regarding the procedures established pursuant to Sections 3264 and 3213 of Public Law 106–65, as amended by Section 3157 of Public Law 106–398. The report should include written copies of the tasking agreements, delegations of authority, or other arrangements that demonstrate compliance with these statutory provisions.

PROJECT MANAGEMENT

The conferees support language included in the House report regarding the efforts of the Office of Engineering and Construction Management (OECM) to improve the Department's construction and project management.

FACILITIES AND INFRASTRUCTURE

The conferees agree with House language regarding efforts to strengthen and standardize management of the Department's facilities and infrastructure (F&I) program and to address management of all F&I assets. The conferees do not agree with the House proposal to provide direct funding of all maintenance in the fiscal year 2004 budget. However, the Department is directed to ensure that adequate funds are budgeted for facility maintenance and disposition, and that the amounts reported in the Integrated Facilities and Infrastructure crosscut budget will be expended solely for these purposes. Use of these funds for any other purpose will require advance approval by the Director, Office of Management, Budget and Evaluation. The Department is also directed to provide an annual year-end report on maintenance expenditures to the Committees on Appropriations.

EXCESS FACILITIES

The conferees agree with House language pertaining to excess facilities and the requirement to procure decontamination and decommissioning services and disposal of excess facilities through an open competitive process.

AUGMENTING FEDERAL STAFF

The conferees agree that the number of management and operating contractor employees assigned to the Washington metropolitan area shall not exceed 220 in fiscal year 2003, the same as the fiscal year 2002 ceiling. The reporting requirements remain as proposed by the House.

REPROGRAMMING GUIDELINES

The conferees agree with the House language on reprogramming guidelines. The conference agreement does not provide the Department of Energy with any internal reprogramming flexibility in fiscal year 2003 unless specifically identified by the House, Senate, or conference agreement. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the House and Senate Committees on Appropriations in advance, in writing, and may not be implemented prior to approval by the Committees.

REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by March 30, 2003, on the actual application of any general reductions of funding or applications of prior year balances contained in the conference agreement. Such reductions are to be applied proportionately against each program, project, or activity. If necessary, the Department must submit a reprogramming to reallocate funds if the proportional reduction unduly impacts a specific program, project, or activity.

ENERGY SUPPLY

The conference agreement provides $701,477,000 for Energy Supply instead of $633,909,000 as proposed by the House and $815,306,000 as proposed by the Senate.

RENEWABLE ENERGY RESOURCES

The conference agreement provides $422,300,000 instead of $396,000,000 as proposed by the House and $448,062,000 as proposed by the Senate for renewable energy resources. The conference agreement does not include language specifying funding allocations as contained in the House report and Senate explanatory statement.

Biomass/biofuels.—The conference agreement includes $90,000,000 for biomass/biofuels. The conferees have combined the subprograms for power systems and transportation into a single program for biomass/biofuels and no longer provide separate allocations for power systems and transportation. The Department is directed to fund not less than the budget request for Integrated Biorefinery Process Development and for Cellulose to Ethanol Production Facilities. The conferees direct the Department to continue the Iowa switchgrass project at agreed-upon levels.

The conference agreement includes $3,000,000 for the Regional Biomass Energy Program; $3,000,000 for corn bioproduct research in cooperation with the National Corn Growers Association; $2,000,000 for the Consortium for Plant Biotechnology Research; $3,000,000 for the Iroquois Bioenergy Cooperative in Indiana; $2,000,000 for the Green Institute in Minnesota for combined heat and power from biomass; $500,000 to continue hybrid poplar research in Wisconsin; $2,000,000 for the Biomass Gasification Research Facility in Birmingham, Alabama; $3,000,000 for the Winona Biomass Project in Mississippi; $500,000 for the Fibrowatt Mississippi biomass project; $2,500,000 for a cost-shared agricultural mixed waste biorefinery in Colorado using thermo-polymerization; $1,000,000 for the oxydiesel demonstration program in California and Nevada; $2,000,000 for the Michigan Biotechnology Initiative; $500,000 for the Biomass Energy Resource Center in Burlington, Vermont; $500,000 for the gasification of switchgrass in Iowa; $1,000,000 for the National Agricultural-Based Industrial Lubricants Center; and $400,000 for the Center for Biomass Utilization at the University of North Dakota.

Geothermal.—The conference agreement includes $30,000,000 for geothermal activities. The conference agreement provides an additional $1,400,000 for university research on geothermal energy and an additional $1,800,000 for Geopowering the West. The conference agreement also includes $1,000,000 for the Lake County Basin geothermal project in California and $1,000,000 for geothermal research at the University of Nevada-Reno.

Hydrogen.—The conference agreement includes $40,000,000 for hydrogen activities. From within available funds, the Department is directed to spend not less than $3,000,000 for the continued development and validation of advanced proton exchange membrane fuel cells and metal membrane fuel purification technologies. The conference agreement also includes $4,000,000 for the Ohio University fuel cell pilot project; $1,000,000 for fuel cell research and development at the University of South Alabama Energy Center; $2,000,000 for the Next Energy fuel cell demonstration project in Michigan; $2,000,000 for an engineering study and evaluation of solar-powered thermo-chemical production of hydrogen from water; $1,000,000 for the fuel cell project at Gallatin County, Montana; and $1,000,000 for the University of Nevada, Las Vegas, hydrogen filling station.

Hydropower.—The conference agreement includes $5,300,000 for hydropower.

Solar Energy.—The conference agreement includes $95,000,000 for solar energy programs. As in fiscal year 2002, the conferees have combined the concentrating solar power, photovoltaic energy systems, and solar building technology subprograms into a single program for solar energy, with the control level at the solar energy program account level.

The conference agreement includes funding for continuation of the Million Solar Roofs program at the prior year level; $2,500,000 for the Southeast and Southwest photovoltaic experiment stations; $2,500,000 for the Navajo electrification project; $1,500,000 to continue development of advanced integrated power modules for photovoltaic applications; $1,500,000 for the Palo Alto photovoltaic demonstration project in California; and $115,000 for a renewable energy demonstration at the Hard Bargain Farm Environmental Center in Maryland. The conference agreement also provides $4,000,000 for the National Center for Energy Management and Building Technology. Within available funds, the conferees direct the Department to spend not less than $5,500,000 for the continuation of work on concentrating solar power.

Wind.—The conference agreement includes $44,000,000 for wind programs. The Wind Powering America initiative is to be continued at the fiscal year 2002 funding level. In addition, the conference agreement includes $500,000 for wind generating facilities for the Vermont Department of Public Service; and $1,000,000 for a wind generation facility to serve St. Paul and Unalaska, Alaska.

The conferees continue to recognize the need for a set-aside for small wind programs.

Electric energy systems and storage.—The conference agreement includes $85,000,000 for electric energy systems and storage. The conference agreement includes the budget request of $9,000,000 for the joint Oak Ridge and Los Alamos effort to develop high-performance, low-cost, second-generation, high-

temperature superconducting wire. The control level is at the electric energy systems and storage program account level.

The conference agreement includes $3,000,000 to continue field testing of advanced aluminum matrix composite conductors; $2,000,000 for the PowerGrid project in New Jersey and Pennsylvania; $3,000,000 for the automated energy distribution and reliability system in Indiana; $750,000 to Co-Op Plus of Western Massachusetts for installing and servicing fuel cells and distributing green electricity; $2,000,000 for the distributed energy systems integration, demonstration and technology transition program at the Fuel Cell Test and Evaluation Center in Pennsylvania; $350,000 for the Microgrid distributed generation prototype in Vermont; $400,000 for the Diné Power Authority in New Mexico to continue development of the Navajo Transmission Project; $5,000,000 for the Upper Lynn Canal power supply project in Alaska; $5,000,000 for the Swan Lake-Lake Tyee segment of the Southeastern Alaska Intertie System; $2,000,000 for the Tok-to-Chistochina transmission project in Alaska; $1,000,000 to continue development of the bipolar nickel metal hydride battery storage system; $2,500,000 for research, development, and demonstration of advanced thermal energy storage technology integrated with renewable thermal energy technology; and $500,000 for the Natural Energy Laboratory in Hawaii to continue development and deployment of distributed energy systems.

Renewable Support and Implementation.—The conference agreement includes $21,500,000 for renewable support and implementation.

The conference agreement provides $1,500,000 for departmental energy management; $4,000,000 for the international renewable energy program, including $1,250,000 for International Utility Efficiency Partnerships; $5,000,000 for the renewable energy production incentive program; $6,000,000 for renewable Indian energy resources, including $1,000,000 for the Council of Renewable Energy Resource Tribes (CERT) within available funds to provide technical expertise and training of Native Americans in renewable energy resource development and electrical generation facilities management; and $5,000,000 for renewable program support, of which $1,000,000 is to support the National Alliance for Clean Energy Incubators and $4,000,000 is to continue the efforts of the National Renewable Energy Laboratory, through a virtual site office in Nevada, to develop renewable energy resources in the Southwestern United States.

National Renewable Energy Laboratory.—The conference agreement provides $5,500,000 for the National Renewable Energy Laboratory (NREL), including $800,000 for construction and $500,000 to reduce the maintenance backlog.

Program direction.—The conference agreement includes $16,000,000 for program direction.

Use of prior year balances.—The conference agreement includes the use of $10,000,000 of prior year funds to be carried over from fiscal year 2002 to offset fiscal year 2003 requirements.

NUCLEAR ENERGY

The conference agreement provides $261,688,000 for nuclear energy activities instead of $213,698,000 as proposed by the House and $324,108,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the House report and Senate explanatory statement. The conferees revised the fiscal year 2003 budget structure for Radiological Facilities Management and Idaho Facilities Management to conform to the structure proposed in the fiscal year 2004 budget request.

Radiological Facilities Management.—The Office of Nuclear Energy, Science and Technology operates a variety of facilities and equipment to support the needs of space, defense, and medical customers who obtain radiological materials from the Department of Energy on a reimbursable basis.

Space and defense power systems infrastructure.—The conference agreement includes $28,950,000 to maintain the infrastructure necessary to support future national security needs and National Aeronautics and Space Administration missions. The Department is directed to provide $2,500,000 for Neptunium–237 storage and Plutonium–238 production facilities at Oak Ridge National Laboratory.

Medical isotopes infrastructure.—The conference agreement includes a total program level of $27,218,000 for the isotope program. This amount is reduced by offsetting collections of $6,400,000 to be received in fiscal year 2003, resulting in a net appropriation of $20,818,000. The conference agreement includes the request of $1,721,000 for the Isotope Production Facility at the Los Alamos National Laboratory. Within available funds, the Department is directed to provide $600,000 in additional funding for the Cyclotron Isotope Research Center at Brookhaven National Laboratory. The conference agreement provides an additional $7,000,000 for upgrades of the hot cells at the Bethel Valley Hot Cell Complex.

The conferees recognize the potential medical value of alpha-emitting isotopes and direct the Department to proceed expeditiously with the project to extract thorium-229 from excess uranium-233 stored at Oak Ridge. The Department shall keep the Appropriations Committees fully informed at the key decision points in the project development process to ensure the Department is making sound business decisions on this project.

University reactor fuel assistance and support.—The conference agreement includes $18,500,000, an increase of $1,000,000 over the budget request. The additional funds are provided for the Department to fund additional regional university reactor consortia, and the conferees strongly encourage the Department to request sufficient funding in future years to fund all meritorious proposals.

Research and development.—The conference agreement provides $75,000,000 for nuclear energy research and development activities. The conference agreement includes $5,000,000 for nuclear energy plant optimization (NEPO), $25,000,000 for the nuclear energy research initiative (NERI), and $45,000,000 for nuclear energy technologies.

Within the funds provided for nuclear energy technologies, the conferees recommend that $1,000,000 be allocated from within the funds provided for nuclear energy technologies for the joint DOE and NRC development of a licensing process that would be risk-informed and technology-neutral to support the future certification and licensing of advanced reactor designs. The conference agreement also provides $2,000,000 within nuclear energy technologies for the purpose of accelerating the engineering evaluation of an integrated sulfur/iodine thermo-chemical water-splitting cycle for coupling with a high temperature nuclear reactor power source. Of this $2,000,000, the conferees direct that $750,000 be provided to the Research Foundation of the University of Nevada, Las Vegas, for the purpose of establishing a public-private partnership to develop and evaluate innovative high temperature heat exchangers. The conference agreement also includes $2,000,000 within nuclear energy technologies to begin design work for a plant to demonstrate the viability of small modular reactors.

Domestic Enrichment Capability.—The conferees note that two private firms, the United States Enrichment Corporation and Louisiana Energy Services, are moving forward with plans to deploy advanced uranium enrichment technologies in the United States. The Department is encouraged to make its expertise available on a reimbursable basis to support these private sector efforts. However, the interest and capability of the private sector to address future U.S. enrichment requirements obviates the need for the Department to pursue its own efforts on advanced enrichment technologies. The Department should reserve its limited research resources for those areas that are not adequately addressed by the private sector.

Fast Flux Test Facility.—The conference agreement transfers the Fast Flux Test Facility (FFTF) and its associated funding to the Non-Defense Environmental Management account.

Idaho Facilities Management.—The Department recently reassigned the lead responsibility for the Idaho National Engineering and Environmental Laboratory (INEEL) from the Office of Environmental Management to the Office of Nuclear Energy, Science and Technology. The conference agreement provides funding for a number of infrastructure activities under a new Idaho Facilities Management program account to reflect the new responsibilities of the Office of Nuclear Energy, Science and Technology for this site. The conference agreement provides $42,770,000 for Idaho Facilities Management, including $31,615,000 for ANL-West operations and $8,815,000 for Test Reactor Area Landlord costs. In future fiscal years, all Idaho Landlord activities should be included within this account.

Advanced Fuel Cycle Initiative.—The conference agreement includes $58,221,000 for spent fuel processing and advanced fuel cycles. This amount includes $15,450,000 for EBR–II spent fuel treatment and $2,771,000 for research and development on pyroprocessing of sodium-bonded spent fuel, the same as the budget request. The Department has recently proposed an Advanced Fuel Cycle Initiative (AFCI) that defines the future research program for technologies to treat spent nuclear fuel (AFCI Series One) and for advanced fuel cycles (AFCI Series Two). The conference agreement provides $40,000,000 to support AFCI applied research. The conferees encourage the Department to seek active university participation in this research.

In order to ensure that the Department's AFCI can lead to useful and practical technologies, the Office of Nuclear Energy, Science and Technology is directed to provide Congress with an annual AFCI Comparison Report. The report will provide qualitative and quantitative information to enable Congress to compare the various technology approaches to managing commercial spent fuel. The first such report is due by May 30, 2003, and should be updated by May 30 each year thereafter so long as the Department continues its AFCI research activity. This report should include comparison matrices that contrast the advantages and disadvantages of possible fuel treatment and advanced fuel cycle technologies. The technologies should be evaluated with respect to energy and chemical inputs, product and waste stream outputs, proliferation considerations, estimated R&D and facility life cycle costs (i.e., capital, operating, and D&D, plus disposal of wastes), and the estimated number and type of facilities required. If the Department cannot provide specific, quantitative information (such as for yet-to-be developed technologies), it should identify in

the matrices the estimated dates by which ongoing R&D will provide the answers. Today's commercial light water reactor fuel cycle and spent nuclear fuel disposition should be used as the basis for comparison and to bound and define performance objectives for the new technologies.

One matrix should compare spent fuel treatment technologies, comparing advanced fast reactor systems, accelerator systems, and other existing and proposed reprocessing and transmutation technologies (e.g., PUREX, UREX, UREX+) against the current once-through approach with spent fuel from light water reactors. The second matrix should include a similar contrast of the advantages and disadvantages and facility requirements for advanced fuel cycles, and should specifically address the six innovative reactor concepts that the member countries of the Generation IV International Forum have agreed to pursue. The second fuel cycle matrix should also include consideration of thorium-uranium and thorium-plutonium fuel cycles and the gas turbine modular helium reactor.

Within the funds made available for AFCI, the conference agreement provides funding for the Department to pursue the recommendations of the joint U.S.-Russia task force on advanced reactor and fuel cycle technologies. The conference agreement also includes $1,500,000 for the Idaho Accelerator Center and $4,500,000 for AFCI-related research by the University of Nevada at Las Vegas.

Program direction.—The conference agreement includes $23,439,000 for program direction.

Use of prior year balances.—The conference agreement includes the use of $6,000,000 of prior year funds to be carried over from fiscal year 2002 to offset fiscal year 2003 requirements.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement provides $22,700,000 for non-defense environment, safety and health activities, which includes $15,860,000 for program direction.

Under the Science portion of this report, the Office of Science is directed to submit to the House and Senate Energy and Water Development Appropriations Subcommittees a report providing a detailed estimate of the cost of bringing the ten DOE Office of Science laboratories (named in House Report 107–112) into compliance with Nuclear Regulatory Commission (NRC) and Occupational Safety and Health Administration (OSHA) standards for nuclear safety and worker safety, respectively. To support this task, the Department is directed to transfer $2,500,000 to the NRC and $1,300,000 to OSHA. In addition, the Department is directed to transfer $1,000,000 to OSHA to cover the costs of OSHA regulation of worker health and safety at those sites transferred to non-Federal entities and the Department's non-nuclear facilities not covered under the Atomic Energy Act.

TECHNICAL INFORMATION MANAGEMENT PROGRAM

The conference agreement moves the Technical Information Management program from the Energy Supply account to the Science account.

ENERGY SUPPLY INFRASTRUCTURE

The conference agreement does not include this new program as proposed by the Senate.

FUNDING ADJUSTMENTS

The conference agreement includes a general reduction of $5,211,000.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides $215,100,000 for Non-Defense Environmental Management instead of $213,259,000 as proposed by the House and $176,000,000 as proposed by the Senate.

Site closure.—The conference agreement includes $95,000,000 for the West Valley site as proposed by the Senate. Funding for the program was moved from the Post 2006 program to the site closure program as proposed by the House.

Site/project completion.—The conference agreement provides $57,425,000. This includes an additional $15,000,000 for the Brookhaven National Laboratory and the transfer of $8,847,000 for long-term stewardship activities to a separate program.

Post 2006 completion.—The conference agreement includes $20,554,000 for Post 2006 completion activities. This includes the budget request of $1,848,000 for Los Alamos and $16,740,000 to continue the cleanup activities at the Energy Technology Engineering Center in California.

Funding of $4,100,000, an increase of $3,134,000, is provided for the Atlas uranium mill tailings site at Moab, Utah, to prepare a scientifically sound remediation plan. The conferees expect the Department to undertake an objective evaluation of costs, benefits, and risks associated with remediation alternatives for the site, including removal and stabilization in place or variations on these two options.

Fast Flux Test Facility.—The conference agreement includes the budget request of $36,100,000 for the Fast Flux Test Facility at Richland, Washington, as proposed by the Senate and transfers the funding from the Energy Supply appropriation account as proposed by the House.

Long-term Stewardship.—The conference agreement includes $14,180,000 for long-term stewardship activities as proposed by the House. The conferees are aware that the Department will be consolidating long-term stewardship and legacy management activities in the fiscal year 2004 budget, and these activities will no longer be managed by the Office of Environmental Management. Thus, the requirement for a review of the long-term stewardship program will be addressed as part of the fiscal year 2004 appropriation.

Excess facilities.—The conference agreement provides the budget request of $1,841,000 for excess facilities to begin decontamination and decommissioning of excess facilities in the environmental management program.

Funding adjustment.—The conference agreement includes an adjustment of $12,134,000 for the use of prior year balances.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

The conference agreement provides $456,539,000 for uranium activities instead of $382,154,000 as proposed by the House and $471,154,000 as proposed by the Senate.

Uranium Enrichment Decontamination and Decommissioning Fund.—The conference agreement provides $340,329,000 for activities funded from the uranium enrichment decontamination and decommissioning (D&D) fund. This amount includes $324,329,000 for decontamination and decommissioning activities and $16,000,000 for uranium and thorium reimbursements.

The conference agreement provides an additional $34,000,000 for cleanup at the Paducah Gaseous Diffusion Plant, an additional $65,000,000 for the East Tennessee Technology Park (ETTP), and an additional $15,000,000 for thorium cleanup reimbursement. The amount provided for decontamination and decommissioning has been reduced by $9,194,000 to pay for increased safeguards and security costs that are funded under the Defense Environmental Restoration and Waste Management account.

The General Accounting Office (GAO) is directed to conduct a study of the cleanup progress at the Paducah Gaseous Diffusion Plant in Paducah, Kentucky. Not later than six months after the date of enactment of this Act, the GAO shall submit a report to the House and Senate Committees on Appropriations, the Senate Energy and Natural Resources Committee, and the House Energy and Commerce Committee on the results of this study. The conferees direct the GAO not to displace any other requests by the House and Senate Committees on Appropriations.

Other Uranium Activities.—The conference agreement provides $141,210,000 for other uranium activities. The conference agreement provides the requested amounts for the East Tennessee Technology Park, the Paducah Gaseous Diffusion Plant, and the Portsmouth Gaseous Diffusion Plant. The amount provided has been reduced by $5,421,000 to pay for increased safeguards and security costs that are funded under the Defense Environmental Restoration and Waste Management account.

Funding adjustment.—The conference agreement includes the use of $25,000,000 of prior year balances.

SCIENCE

The conference agreement provides $3,305,894,000 instead of $3,271,233,000 as proposed by the House and $3,329,456,000 as proposed by the Senate. The conference agreement does not include language specifying funding allocations as contained in the House report and Senate explanatory statement.

High energy physics.—The conference agreement provides $726,990,000 for high energy physics. The conferees have provided an additional $2,000,000 for operations and activities of the program.

Nuclear physics.—The conference agreement provides $384,370,000 for nuclear physics. The conferees encourage the Department to use these additional funds to enhance operation of the Relativistic Heavy Ion Collider (RHIC) at the Brookhaven National Laboratory and the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Accelerator Facility, and to continue research and development and preconceptual design in support of the Rare Isotope Accelerator.

Biological and environmental research.—The conference agreement includes $530,000,000 for biological and environmental research. The conference agreement provides $7,000,000 for the Savannah River Ecology Laboratory, $20,000,000 in total funding for the low dose effects program, continues the free air carbon dioxide experiments at the current year level, and provides $2,000,000 in additional funding for the EMSL computer. The conference agreement also includes $4,000,000 for research on arsenic removal.

The conference agreement includes $3,800,000 for infrastructure and equipment for the Wittenberg University Science Center; $3,000,000 for the University of South Alabama Cancer Center; $2,000,000 for the Institute for Biomedical Science and Biotechnology at the University of Arizona; $1,200,000 for the University of Southern Florida Center for Biological Defense; $1,000,000 for the Barry University Minority Science Center in Florida; $1,000,000 for the Riverside Hospital Regional Cancer Center in Illinois; $500,000 for the Stanley Scott Cancer Center in Louisiana; $500,000 for the Western Michigan University Nanoscience Research and Computational Institute; $1,000,000 for the North Mississippi Health Services Positron Emission Tomography Cancer Center; $500,000 to upgrade the Drew University Hall of Science in New Jersey; and $500,000 for the Environmental Systems Center at Syracuse University in New York.

The conference agreement includes $4,600,000 for a Purdue University technology

incubator in northwest Indiana; $1,000,000 for the University of Notre Dame College of Engineering Multidisciplinary Research Facility; $500,000 for vocational education programs at the Los Angeles Trade Technical College; $500,000 for the fuel cell advanced materials and demonstration project at Humboldt State University in California; $650,000 for the National Center for Neurogenetic Research and Computational Genomics at the University of Southern California; $500,000 for the bioengineering research program at the University of Illinois at Chicago; $500,000 for the Pioneer Valley Life Sciences Initiative between the University of Massachusetts and the Baystate Medical Center; $250,000 for the Hampshire College National Center for Science Education in Massachusetts; $500,000 for the Audubon Biomedical Science and Technology Park at Columbia University in New York; $500,000 for the Center for Sustainable Energy at the Bronx Community College in New York; and $500,000 for the Green Chemistry Project at Carnegie Mellon University in Pennsylvania.

The conference agreement includes $10,000,000 for operations and capital investments at the Mental Illness and Neuroscience Discovery Institute; $2,000,000 for the University of Missouri-Columbia nuclear medicine and cancer research program; $1,000,000 for the University of Southern Maine School of Applied Sciences, Engineering, and Technology; $1,000,000 for the Center for Environmental Radiation Studies at Texas Tech University; $500,000 for the Legume Genome Initiative at the University of Oklahoma; and $500,000 for the University of Northern Iowa Existing Business Enhancement Program.

The conference agreement includes $1,000,000 for the University of Louisiana-Lafayette National Wetlands Research Center; $1,000,000 for the Medical University of South Carolina; $500,000 for a Magnetic Resonance Microscope at the Children's Hospital of Los Angeles; $500,000 for a PET/CT scanner at Christiana Care Health System in Delaware; $500,000 for the Natural Energy Laboratory in Hawaii; $500,000 for a CT scanner at Edward Hospital in Illinois; $500,000 for the University of Massachusetts at Boston Multidisciplinary Research Facility and Library; $1,000,000 for the Nevada Cancer Institute; $500,000 for the Inland Northwest Natural Resources Research Center at Gonzaga University; $500,000 for the Morgan State University Center for Environmental Toxicology; $450,000 for nanotechnology applications at Western Michigan University in partnership with Altair; $250,000 for the International Water Institute; $450,000 for the New York University Genomics Project; $1,000,000 for the linear accelerator at the University Medical Center of Southern Nevada; $500,000 for the Indiana Genomics Initiative at Indiana University; $250,000 for the Boston University Photonics Center; $100,000 for the Nevada Space Grant Consortium at the Desert Research Institute; and $500,000 for the Public Health Research Institute Rapid Detection for Bioterrorism program in New Jersey.

Basic energy sciences.—The conference agreement includes $1,030,000,000 for basic energy sciences. The conference agreement includes $551,378,000 for materials sciences and engineering research, and $221,551,000 for chemical sciences, geosciences, and energy biosciences. For purposes of reprogramming in fiscal year 2003, the Department may reallocate funding among all operating accounts within Basic Energy Sciences.

The conference agreement provides the requested amounts of $210,571,000 for construction of the Spallation Neutron Source, $6,000,000 for project engineering and design (PED) for the Linac Coherent Light Source at the Stanford Linear Accelerator Center, and $24,000,000 for the design and construction of the Oak Ridge Center for Nanophase Materials Sciences. The conference agreement provides $4,500,000 in additional funding to complete PED and initiate construction of the Center for Integrated Nanotechnologies, and an additional $1,000,000 to initiate PED in fiscal year 2003 for the Brookhaven Center for Functional Nanomaterials.

The conference agreement also provides $11,985,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Advanced scientific computing research.—The conference agreement includes $172,625,000 for advanced scientific computing research (ASCR), an increase of $3,000,000 over the budget request. The conferees provide these additional funds for the Department to pursue alternative approaches to advance the United States capability in advanced scientific computing. The recent developments by the Japanese on scientific supercomputing are cause for concern. The conferees strongly support DOE's role in Advanced Scientific Computing development missions, and will consider a request for reprogramming of fiscal year 2003 funds in order for U.S. manufacturers and laboratories to address the recent developments by Japan relating to the Earth Simulator.

Energy research analyses.—This activity is transferred as a subprogram under Science Program Direction.

Science laboratories infrastructure.—The conference agreement provides $45,680,000 for science laboratories infrastructure, including a total of $8,000,000 for excess facilities disposition.

Fusion energy sciences.—The conference agreement includes $250,000,000 for fusion energy sciences, an increase of $1,505,000 over fiscal year 2002. The conferees note that the fiscal year 2002 funding level included $19,604,000 for the completion of decontamination and decommissioning of the Tokamak Fusion Test Reactor (TFTR), leaving $228,891,000 available for fusion research and facility operations in fiscal year 2002. By comparison, the conference agreement for fiscal year 2003 makes this $19,604,000, plus an additional $1,505,000, available for fusion research and facility operations, an increase of 9.2 percent over the comparable amount available in fiscal year 2002.

Within the funding available for fusion energy sciences, the Department should make additional funding of $1,500,000 available to the Princeton Plasma Physics Laboratory to support the National Spherical Torus Experiment (NSTX) research, NSTX operations, and preliminary design for the National Compact Stellarator Experiment (NCSX). Within available funding, the Department should report back to the Appropriations Committees no later than August 1, 2003, with an evaluation of the ''fast ignition'' concept and with any recommendations regarding the schedule and milestones of the High Energy Density Physics Program.

Safeguards and security.—The conference agreement includes $48,765,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science. The additional $638,000 over the budget request represents a transfer from Weapons Activities for the costs of safeguards and security at Building 3019 at Oak Ridge National Laboratory.

Science workforce development.—The conference agreement provides $5,460,000 for science workforce development. This activity had previously been funded as the Science Education subprogram within Program Direction.

Science program direction.—The conference agreement includes $136,387,000 for science program direction. This amount includes $72,403,000 for field offices, $55,984,000 for headquarters, $7,000,000 for the Technical Information Management program (transferred from the Energy Supply account), and $1,000,000 for Energy Research Analyses. The control level for fiscal year 2003 is at the program account level of Science Program Direction.

External regulation.—Funds are provided in the Environment, Safety and Health (non-defense) account within the Energy Supply appropriation for the Nuclear Regulatory Commission (NRC) and the Occupational Safety and Health Administration (OSHA) to conduct compliance audits of the ten DOE Science laboratories. The Office of Science should use this information to develop estimates of the costs needed to bring these ten laboratories into compliance with NRC and OSHA safety standards. The Office of Science, in cooperation with NRC and OSHA, should complete the compliance audits and cost estimates for an initial set of four representative Science laboratories not later than September 30, 2003, and for all remaining Science laboratories by March 31, 2004. The Office of Science is directed to submit a report to the House and Senate Energy and Water Development Appropriations Subcommittees summarizing the audit results and cost estimates for all ten laboratories not later than April 30, 2004.

Funding adjustments.—A general reduction of $20,000,000 has been applied to this account.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $145,00,000 for Nuclear Waste Disposal, instead of $209,702,000 as proposed by the House and $56,000,000 as proposed by the Senate. When combined with the $315,000,000 appropriated from the Defense Nuclear Waste Disposal account, a total of $460,000,000 will be available for program activities in fiscal year 2003. The conference agreement includes not to exceed $2,500,000 for the State of Nevada and $7,000,000 for affected units of local government. The conferees direct the Department to provide $2,000,000 to Clark County, Nevada, to study and demonstrate the integration of emergency response planning systems and advanced transportation technologies. The conferees further direct that $2,500,000 be provided to the Research Foundation of the University of Nevada, Las Vegas, for continuing and expanding its efforts in ground water characterization and research into the transport and fate of radionuclides in the vicinity of the Yucca Mountain repository.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $309,872,000 for Departmental Administration expenses instead of $249,259,000 as proposed by the House and $295,587,000 as proposed by the Senate. Funding adjustments include the transfer of $87,468,000 from Other Defense Activities and the use of $15,000,000 of prior year balances. Revenues of $120,000,000, a reduction of $17,524,000 from the budget request, are estimated to be received in fiscal year 2003, resulting in a net appropriation of $87,404,000.

Specific funding levels for each Departmental organization are provided in the accompanying table.

Engineering and construction management reviews.—The conference agreement provides $5,000,000 for the Office of Engineering and Construction Management for external independent reviews of proposed projects and programs.

Cybersecurity and secure communications.—The conferees have provided $30,000,000 for cybersecurity and secure communications.

Corporate management information program.—The conferees have provided $15,000,000 for the Department's Corporate Management Information Program.

Cost of work for others.—Since initiating direct budgeting and funding of safeguards and security activities, the Department has used the cost of work for others program to fund reimbursable safeguards and security costs incurred for work performed for other Federal agencies. This was originally planned to be a one-year transitional fix; however, the Department has continued to use this procedure beyond that time. The conferees expect the Department to submit to the Committees on Appropriations a proposal that would allow the direct funding of these costs within each program account in fiscal year 2004.

Reprogramming guidelines.—The conference agreement provides reprogramming authority of $1,000,000 or 10 percent, whichever is less, within the Departmental Administration account without prior submission of a reprogramming to be approved by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of $1,000,000 or 10 percent to an individual program account require prior notification and approval.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $37,671,000 for the Inspector General as proposed by the House and the Senate.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the Nation's nuclear weapons, nuclear nonproliferation, and naval reactors activities.

Availability of funds.—The conference agreement makes funds appropriated to the NNSA available until expended as proposed by the Senate.

Other provisions.—The conference agreement includes language authorizing $12,000,000 to be appropriated for Project 03–D–102, LANL administration building, at Los Alamos National Laboratory, and $113,000,000 to be appropriated for Project 01–D–108, Microsystems and engineering science applications (MESA), at Sandia National Laboratories, in New Mexico.

The conference agreement does not include bill language proposed by the House limiting the obligation of funds until the Nuclear Weapons Council certifies the Selected Acquisition Reports, limiting the obligation of funds until the NNSA budgets by weapons system, or providing $10,000,000 to upgrade financial systems to track costs by weapons system. Each of these issues is addressed further in the statement of the managers.

Future Years Nuclear Security Program.—The conferees agree with the House language pertaining to the inadequate multi-year programming and budgeting information and direct the NNSA to contract for an independent assessment of the NNSA's planning, programming, and budgeting system, including its comparability to that of the Department of Defense.

Strategic weapons modernization.—The conferees direct the Secretary of Energy in conjunction with the Secretary of Defense to provide a report to the Appropriations and Armed Services Committees of Congress providing a specific inventory objective for each nuclear weapon system by year and in total through 2012; an indication of the likely number of warheads that must be modernized and why; and an estimate of the cost in then-year dollars to perform such modernization. This report is due to the Congressional defense committees not later than March 15, 2003.

Selected Acquisition Reports.—The conferees direct NNSA to submit Selected Acquisition Reports to Congress in fiscal year 2004 and subsequent fiscal years in an identical manner to those submitted by the Department of Defense. NNSA shall use the title ''Selected Acquisition Report'', use the Department of Defense standard format and classification methodology, and include identical types of information on program cost, schedule, and contractor performance.

Budget and accounting for nuclear weapons systems.—The conferees understand that the Department is implementing a pilot project to budget and account for costs by weapons system and expect to be kept informed by the Administrator of the NNSA and the Department's Chief Financial Officer on the status of this project.

Cerro Grande Fire Funds.—The conferees direct that the Secretary not defer, deobligate, withdraw to headquarters, reserve for contemplated future rescissions, reprogram or otherwise adversely affect the planned and continuing expenditure of funds previously made available for Cerro Grande fire activities unless a reprogramming is submitted in advance and approval received from the House and Senate Committees on Appropriations.

WEAPONS ACTIVITIES

The conference agreement provides $5,954,204,000 for Weapons Activities instead of $5,772,068,000 as proposed by the House and $6,108,959,000 as proposed by the Senate.

Reprogramming.—The conference agreement provides limited reprogramming authority within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. The reprogramming thresholds will be as follow: directed stockpile work, science campaigns, engineering campaigns, inertial confinement fusion, advanced simulation and computing, pit manufacturing and certification, readiness campaigns, and operating expenses for readiness in technical base and facilities. This should provide the needed flexibility to manage these programs.

In addition, funding of not more than $5,000,000 may be transferred between each of these categories and each construction project subject to the following limitations: only one transfer may be made to or from any program or project; the transfer must be necessary to address a risk to health, safety or the environment or to assure the most efficient use of weapons activities funds at a site; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

Congressional notification within 15 days of the use of this reprogramming authority is required. Transfers during the fiscal year which would result in increases or decreases in excess of $5,000,000 or which would be subject to the limitations outlined in the previous paragraph require prior notification and approval from the House and Senate Committees on Appropriations. Failure to notify the Committees within the 15–day period will result in denial of the reprogramming.

Directed stockpile work.—The conference agreement includes the budget request of $1,234,467,000 for directed stockpile work as proposed by the House and the Senate.

Campaigns.—Funding for individual campaigns is shown on the accompanying table. The conferees agree with the House language requesting detailed project baseline data for each campaign showing the total, annual, and five-year costs, schedule, scope, and deliverables for individual project activities as part of the annual budget request.

From within funds provided for the various campaigns, $2,175,000 is provided for the University Research Program in Robotics. An additional $2,175,000 is provided for the robotics program in the environmental management program.

For science campaigns, the conference agreement provides $255,468,000, an increase of $20,000,000 over the budget request. The conference agreement provides $47,159,000 for primary certification as proposed by the Administration. In the dynamic materials properties program, the conferees have provided $5,000,000 for materials properties studies using the capabilities of the Nevada Test Site and the budget request of $13,110,000 for university partnerships. In the advanced radiography program, funding of $20,000,000 is provided to continue research, development and conceptual design activities for an advanced hydrodynamics test facility and an additional $5,000,000 to fund other experiments that might be conducted in the Contained Firing Facility.

For engineering campaigns, the conference agreement provides $233,697,000, a reduction of $5,713,000 from the budget request. Enhanced surety is funded at $32,000,000, as proposed by the Senate.

For inertial confinement fusion, the conference agreement provides $504,293,000, an increase of $52,500,000 over the budget request, and includes several program funding adjustments. The conference agreement includes $10,000,000 for the Naval Research Laboratory, the same as the budget request. Funding of $22,000,000 has been provided to further development of high average power lasers.

The conference agreement includes $36,400,000, the same as the budget request, for the on-going program at the Laboratory for Laser Energetics at the University of Rochester. An increase of $13,000,000 over the budget request is provided for the University of Rochester for the Omega Extended Performance Facility to enhance the capabilities of the Omega facility in support of the nation's stockpile stewardship program by providing additional high-energy, high-intensity beams to be used with the existing Omega facility.

The conference agreement provides an additional $8,000,000 for enhanced National Ignition Facility (NIF) diagnostics and/or cryogenic target activities, and $214,045,000, the same as the budget request, for continued construction of the NIF.

For petawatt laser capabilities, funding of $5,000,000 is provided to modify the beamlet laser at the Sandia National Laboratories and $1,000,000 is provided for technical community activities in developing critical short-pulse, high power laser technology.

The conferees have provided an additional $3,500,000 for university grants/other ICF support. This includes $2,500,000 for installation, operation, and continued research and development on a petawatt laser at the University of Nevada-Reno, and $1,000,000 for short pulse, high power laser development at the University of Texas.

For advanced simulation and computing, the conference agreement provides $704,335,000, as proposed by the Senate. The NNSA is directed to commission two independent studies as proposed by the Senate. These reports are due to the Committees on Appropriations by August 1, 2003.

For pit manufacturing and certification, the conference agreement provides $222,000,000, an increase of $27,516,000 over the budget request of $194,484,000. The increase will ensure that the NNSA maintains its commitment to produce a certifiable W88 pit

by 2003 and a certified W88 pit by 2007. The NNSA has refused to request funds consistent with its own project plan submitted in September 2001. As directed by the Senate explanatory statement, the NNSA is to provide a revised pit production and certification plan to the relevant Congressional committees by March 31, 2003, and annually thereafter. To ensure that all sites under study for the modern pit facility receive full and equal consideration, the conferees recognize that future land withdrawal action by Congress may be required to proceed with construction of the facility.

For readiness campaigns, the conference agreement provides $213,752,000, a reduction of $8,065,000 from the budget request. Funding for the tritium readiness campaign includes $42,734,000 for operating expenses as proposed by the Senate and an additional $5,335,000 to complete dismantlement of the Accelerator Production of Tritium program.

Readiness in technical base and facilities.—For readiness in technical base and facilities, the conference agreement provides $1,832,222,000, an increase of $143,993,000 over the budget request, and includes several funding adjustments.

Within funds provided for operations of facilities, the conferees direct that, at a minimum, an additional $25,000,000 be provided for the Pantex Plant in Texas and an additional $20,000,000 be provided for the Y–12 Plant in Oak Ridge, Tennessee, as proposed by the House. The conference agreement includes an additional $6,000,000 for the Z machine operations at Sandia and $3,000,000 for technology transfer activities as proposed by the Senate. The conferees encourage the Department to utilize the UNLV Research Foundation and other academic institutions to facilitate such technology transfer activities at the Nevada Test Site.

The conference agreement provides $56,725,000 for activities at the Nevada Test Site and an additional $23,500,000 for the National Center for Combating Terrorism for facility upgrades, refurbishments, equipment, and operation and maintenance.

Funding of $638,000 has been transferred to the Office of Science safeguards and security program to support weapons-related activities at the Oak Ridge National Laboratory.

Within funds provided for program readiness, the conference agreement includes $60,000,000 to maintain Nevada Test Site readiness and $6,164,000 for activities related to the TA–18 relocation to Nevada. The conference agreement provides the budget request of $15,000,000 for enhanced test readiness. The Department is directed to notify the House and Senate Committees on Appropriations before any of these funds are obligated in fiscal year 2003.

Within funds provided for special projects, the conference agreement includes $600,000 for the Oral History of the Nevada Test Site; $6,900,000 for the New Mexico Education Enrichment Foundation; $2,500,000 for the National Museum of Nuclear Science and History relocation project; $500,000 for the Atomic Testing History Institute; $1,000,000 for the UNLV Research Foundation; $3,000,000 to update aircraft navigational and other related avionics; and the budget request for the Los Alamos County Schools. Within available funds, the conferees urge NNSA to conduct a field installation of the truck stopping device developed by Lawrence Livermore National Laboratory and to continue research on bridges and new techniques for scanning shipping containers.

The conference agreement includes $103,816,000 for materials recycling, an increase of $5,000,000 over the budget request for activities at the Y–12 Plant in Tennessee as proposed by the House.

The conference agreement includes the budget request of $17,721,000 for containers, $14,593,000 for storage, and $91,000,000 for nuclear weapons incident response.

Construction projects.—For construction projects, the conference agreement includes adjustments proposed by the Department to the budget request for several projects to reflect the latest program planning assumptions. In addition, the conference agreement provides $12,000,000 for Project 03–D–102, LANL administration building replacement project, and $113,000,000 for Project 01–D–108, Microsystems and Engineering Sciences Applications Complex at Sandia, in New Mexico.

Facilities and infrastructure recapitalization.—The conference agreement includes the budget request of $242,512,000 for the facilities and infrastructure (F&I) recapitalization program. The conferees agree with the House language to procure decontamination, decommissioning and demolition services through an open competitive process. At least $50,000,000 is to be used to dispose of excess facilities.

Secure Transportation Asset.—The conference agreement provides the budget request of $152,989,000 for secure transportation asset.

Safeguards and security.—The conference agreement includes $526,254,000, an increase of $16,300,000 over the budget request, for safeguards and security activities at laboratories and facilities managed by the National Nuclear Security Administration.

Funding adjustments.—The conference agreement includes an adjustment of $28,985,000 for a security charge for reimbursable work, as proposed in the budget, and a general reduction of $138,800,000.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $1,113,630,000 for Defense Nuclear Nonproliferation instead of $1,167,630,000 as proposed by the House and $1,115,630,000 as proposed by the Senate.

Availability of funds.—The conference agreement makes the funds available for obligation until expended as proposed by the Senate.

Nonproliferation and verification research and development.—The conference agreement provides the budget request of $283,407,000 for nonproliferation and verification research and development. This includes $20,160,000, the same as the budget request, for ground-based systems for treaty monitoring.

From within available funds for research and development activities, $10,000,000 is provided to support ongoing activities at the Remote Sensing Test and Evaluation Center at the Nevada Test Site. The conferees encourage the Department to use a portion of the additional funds provided to the Remote Sensing Test and Evaluation Center to support applied research activities related to national security at UNLV and other universities that are participating in cooperative ventures at the Nevada Test Site.

The conference agreement provides $3,000,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center. The conferees expect the NNSA to conduct a site-wide survey of the Iowa Army Ammunition Plant in Middletown, Iowa, for radiological contamination as proposed by the Senate. Within available funds, the NNSA is directed to provide $10,000,000 for the sustained development of advanced technologies needed to counter nuclear terrorism threats and focus on improving capability through research and development.

The conferees continue to support more opportunity for open competition in appropriate areas of the nonproliferation and verification research and development program. The conferees expect the Department to continue to implement recommendations provided by the external review group in support of open competition and direct the Department to continue a free and open competitive process for at least 25 percent of its research and development activities during fiscal year 2003 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities.

The conferees direct the Department to identify ways to increase competition to ensure that the best possible researchers in the private sector and academia are provided the opportunity to compete for nonproliferation research and development funds and to contribute to these critical national security programs. In this time of increased threats to the nation, the Department should make every effort to seek out new and innovative ideas and concepts beyond those developed by the Department's own contractors.

The conferees request an annual report on the nonproliferation and verification research and development program that includes each major research project with the total baseline cost, cost by year, scope, schedule, deliverables, entity performing the research, and proposed user. This report in an unclassified form with a classified appendix as necessary is due to the Committees on Appropriations on March 15, 2003, and annually thereafter. The Department should work with the Committees to ensure the appropriate level of detail.

Nonproliferation and international security.—The conference agreement provides the budget request of $92,668,000 for nonproliferation and international security.

Nonproliferation programs with Russia.—The conferees continue to be concerned that too much of the money for Russian programs is being spent in the United States at the Department of Energy's own facilities rather than going to the facilities in Russia. The Department is directed to submit a plan to the Committees on Appropriations that shows how the ratio of the funding within each program that is spent in Russia versus the funding that remains the United States for the Department's contractors will be increased significantly in each subsequent fiscal year.

International materials protection, control and cooperation (MPC&A).—The conference agreement includes $233,077,000, the same as the budget request, for the MPC&A program. From within available funds, the conference agreement provides at least $15,000,000 for expanded activities within the Second Line of Defense program that is responsible for improving border and transportation security. The conferees support expanded program work in major transit/transportation hubs and ports in countries other than Russia and the Newly Independent States. The conference agreement also provides $5,000,000 for the radiological dispersion devices (RDD) program to protect, control and account for RDD materials in countries other than Russia and the Newly Independent States.

Accelerated Highly Enriched Uranium (HEU) Disposition.—The conference agreement provides $14,000,000 to develop and implement efforts with the Russian Federation for blending or otherwise securing highly enriched uranium. These efforts may include the purchase of highly enriched uranium from the Russian Federation and transporting it to the United States. This program is in addition to the U.S./Russian HEU Agreement to blend down 500 metric tons of highly enriched uranium over twenty years.

Russian Transition Initiatives.—The conference agreement provides $39,334,000, the same as the budget request, for the Initiatives for Proliferation Prevention program and the Nuclear Cities Initiative.

HEU transparency implementation.—The conference agreement provides $17,229,000, the same as the budget request.

International nuclear safety.—The conference agreement provides $11,576,000, a reduction of $3,000,000 from the budget request, for the international nuclear safety program, as proposed by the House.

Elimination of weapons-grade plutonium production.—The conference agreement includes the budget request of $49,339,000 for the elimination of weapons-grade plutonium production program. The conferees strongly support the Department's efforts to provide an open procurement competition to find the best-qualified contractor to implement this program and have not included language to limit repayment of program expenditures.

Fissile materials disposition.—The conference agreement provides $48,000,000 for fissile materials disposition, the same as the budget request. At the request of the Department, funding of $2,000,000 was transferred from operating expenses to Project 99–D–141, Pit disassembly and conversion facility, and $6,372,000 was transferred from Project 01–D–407, highly enriched uranium blend down, to operating expenses.

Program direction.—The conference agreement does not provide any program direction funds in this account as proposed by the Senate. Program direction funding for the Defense Nuclear Nonproliferation office will be identified separately within the Office of the Administrator account.

Funding adjustments.—The conference agreement includes funding adjustments of $75,000,000. This includes the use of $68,000,000 of prior year balances and the additional $7,000,00 remaining from completion of Project 00–D–192, Nonproliferation and international security center.

NAVAL REACTORS

The conference agreement provides $706,790,000 for Naval Reactors, the same as the budget request. These funds are to remain available until expended as proposed by the Senate.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $330,929,000 for the Office of the Administrator instead of $261,929,000 as proposed by the House and $335,929,000 as proposed by the Senate. These funds are available for obligation through September 30, 2003, as proposed by the House. Statutory language providing $12,000 for official reception and representation expenses has also been included.

The conferees urge the Administrator of NNSA to provide at least $5,000,000 for the NNSA Office of Project Management and Engineering Support to continue its project oversight work and to provide training and mentoring programs to improve the skills of NNSA program and project managers.

Defense Nuclear Nonproliferation.—The conference agreement provides $57,000,000 for the Federal employees in the Office of Defense Nuclear Nonproliferation. None of these funds may be taxed by the NNSA for any purpose without prior notification and approval by the House and Senate Committees on Appropriations.

ENVIRONMENTAL AND OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides $5,470,180,000 for Defense Environmental Restoration and Waste Management instead of $4,543,661,000 as proposed by the House and $5,370,532,000 as proposed by the Senate. Additional funding of $1,138,314,000 is contained in the Defense Facilities Closure Projects account and $158,399,000 in the Defense Environmental Management Privatization account for a total of $6,766,893,000 provided for all defense environmental management activities.

Accelerated cleanup funding.—The conference agreement has merged funds proposed for the Environmental Management Cleanup Reform account into the appropriate existing appropriation accounts rather than providing a lump sum in a separate appropriation account as proposed by the Administration.

Reprogramming authority.—The conferees support the need for flexibility to meet changing funding requirements and have provided internal reprogramming authority as proposed by the House.

Site/project completion.—Total funding of $990,950,000 is provided for site/project completion. The conference agreement provides additional funding to accelerate cleanup at the following sites: $40,000,000 for the Savannah River Site in South Carolina; $5,000,000 for the Idaho site; $141,000,000 for the Hanford site in Richland, Washington; $8,000,000 for Sandia National Laboratories in New Mexico; $5,000,000 for the Pantex plant in Texas; and $4,000,000 to expedite the remediation and conveyance of up to 2,000 acres of land for the use of Pueblo of San Ildefonso and approximately 100 acres to the County of Los Alamos consistent with the direction of section 632 of Public Law 105–119.

Funding of $7,000,000 for the Savannah River Ecology Laboratory is included in the Office of Science in fiscal year 2003.

Funding of $8,800,000 is transferred from operating expenses at the Savannah River Site to a new construction project, Project 03–D–414, Preliminary Project Engineering and Design, to initiate design activities for the salt waste processing facility and an additional glass waste storage building.

Post 2006 completion.—The conference agreement provides total funding of $3,322,367,000 for post 2006 completion. The conference agreement provides additional funding to accelerate cleanup at the following sites: $176,000,000 for the Savannah River Site in South Carolina; $54,000,000 to accelerate remediation, waste management, and nuclear materials stewardship activities at Los Alamos National Laboratory; $40,000,000 to accelerate cleanup at the Oak Ridge Reservation in Tennessee; $33,000,000 to accelerate cleanup at the Nevada Test Site; $22,000,000 to accelerate cleanup activities at the Lawrence Livermore National Laboratory; and $2,000,000 to accelerate cleanup activities in Alaska.

Additional funding of $105,000,000 is provided for the Idaho site. From within these funds, $2,000,000 is for the national spent nuclear fuel program; $4,000,000 is for the Subsurface Science Research Institute operated by the Inland Northwest Research Alliance and the INEEL; and the Department is directed to pay its Title V air permitting fees at the INEEL consistent with prior year levels.

The conferees are aware that the district court has ordered the parties to enter into mediation to resolve the Pit 9 issue at Idaho. The conferees commend that initiative and encourage the pursuit of action to avert continued costly and protracted litigation. The conferees expect the Department to participate directly in that mediation, not through the contractor. If mediation is not successful, the conferees expect the Department to initiate and participate in arbitration to resolve this dispute.

Additional funding of $63,000,000 is provided for the Hanford site in Richland, Washington, to accelerate cleanup of the River Corridor and tank waste management activities. From within available funds, $600,000 is provided for State of Oregon oversight activities, and funding at the fiscal year 2002 level is provided for the Hazardous Materials Management and Emergency Response (HAMMER) training and education center. The conferees understand that the HAMMER facility will seek another source of funding and be moved from the environmental management program after fiscal year 2003. The Department is expected to continue making PILT payments at last year's level to counties that have the Hanford reservation within their boundaries.

Additional funding of $20,000,000 is provided to the Carlsbad field office. This includes $14,000,000 to accelerate shipping and disposing of transuranic waste throughout the complex; $3,500,000 to be made available to the Carlsbad community for educational support, infrastructure improvements, and related initiatives to address the impacts of accelerated operations; and $2,500,000 to continue the U.S.-Mexico Border Health Commission/Materials Corridor Partnership Initiative.

From within available funds, $36,732,000 has been transferred to the safeguards and security program to offset increased security costs in fiscal year 2003.

Office of River Protection.—The conference agreement provides $1,126,988,000, an increase of $229,000,000 over the budget request, for the Office of River Protection at the Hanford site in Washington. Funding of $619,000,000 has been provided for Project 01–D–416, the Hanford Waste Treatment Plant, to vitrify the high-level waste in underground tanks.

Uranium enrichment decontamination and decommissioning (UED&D) fund.—The conference agreement includes the budget request of $442,000,000 for the Federal government's contribution to the UED&D fund.

Science and technology development.—The conference agreement provides $118,175,000 for the science and technology development program. The conference agreement includes $4,000,000 to continue the international agreement with AEA Technology; $7,000,000 for the Department's current five-year cooperative agreement with the Florida International University's Hemispheric Center for Environmental Technology; $750,000 for the Mid-Atlantic Recycling Center for End-of-Life Electronics project; $5,000,000 for the Diagnostic Instrumentation and Analysis Laboratory; $2,000,000 to continue micro-sensing technology development and prototype deployment of remote monitoring systems for the underground test area; $2,175,000 for the university robotics research program; $12,000,000 for research and development at Idaho on environmental technologies; and $1,000,000 for basic science experiments at the Waste Isolation Pilot Plant. The Department is directed to continue its ongoing cooperative agreements with the University of Nevada-Las Vegas and the University of Nevada-Reno on terms consistent with recent years. The conferees urge the Department to consider continued evaluation, development and demonstration of the Advanced Vitrification System.

The Office of Environmental Management is directed to report to the House and Senate Committees on Appropriations as soon as information is available on the projects and activities which are to be performed with funding provided in fiscal year 2003 to the Florida International University, AEA Technology, the Mid-Atlantic Recycling Center for End-of-Life Electronics project, the Diagnostic Instrumentation and Analysis Laboratory, the micro-sensing technology development and prototype deployment of remote monitoring systems for the underground test area, the university robotics research program, the Western Environmental Technology Office, and the National Energy Technology Laboratory. The Department should work with the Committees on the detail and format for this report.

Excess facilities.—The conference agreement includes $5,000,000, an increase of $3,700,000

over the budget request, for excess facilities. These funds are to be used to initiate decontamination and decommissioning of excess facilities owned by the environmental management program.

Multi-site activities.—The conference agreement includes $64,352,000, a decrease of $415,519,000 from the budget request, for multi-site activities. Funding of $442,000,000 for the uranium enrichment decontamination and decommissioning fund is transferred to a separate program; $1,000,000 is provided for packaging and certification activities; and $8,481,000 is provided for the hazardous waste worker training program. The conferees expect the Department to continue its support for a variety of small programs identified in the Senate explanatory statement.

Funding of $17,000,000 is provided for the National Energy Technology Laboratory (NETL) in West Virginia, including $5,000,000 for the Western Environmental Technology Office. The Department is establishing an Office of Legacy Management that will gain responsibility for the long-term stewardship program now managed by the Office of Environmental Management. The conferees expect the Department to use the NETL to begin preparatory actions to ensure a smooth and effective transition of people, records, and programs including the responsibility for long-term stewardship of records dealing with physical and human issues at current sites as well as from the closure of the Ohio and Rocky Flats cleanup sites. The enormous records management requirements at closure sites will require solicitation and management of contracts to assess both the current status of environmental management records as well as performing an evaluation of best practices. A critical examination of the numerous complex issues of annuitant benefit continuity for retirees/annuitants at closure sites will also be required. Preparatory work in fiscal year 2003 will ensure a smooth transition of these responsibilities to the Office of Legacy Management and provide the Department with an assessment of its needs to provide potential bidders with sufficient data to successfully compete on the forthcoming contracts to institute long-term stewardship of environmental management records and contractor continuity of benefits.

Safeguards and security.—The conference agreement includes $268,607,000, an increase of $40,347,000 over the budget request, for safeguards and security activities at laboratories and facilities managed by the Office of Environmental Management. Safeguards and security costs at several cleanup facilities have increased significantly since the fiscal year 2003 budget request was submitted.

Program direction.—The conferees have provided $344,000,000, the same as the budget request, for the program direction account.

Funding adjustments.—The conference agreement includes reduction of $80,924,000 due to funding constraints. A security charge for reimbursable work of $4,347,000, the same as the budget request, is included.

ENVIRONMENTAL MANAGEMENT CLEANUP REFORM

The conference agreement does not provide funding for accelerated cleanup activities in this separate appropriation account as proposed by the Administration. Funds for accelerated cleanup have been allocated among the existing appropriation accounts.

DEFENSE FACILITIES CLOSURE PROJECTS

The conference agreement provides $1,138,314,000 instead of $1,091,314,000 as proposed by the House and $1,125,314,000 as proposed by the Senate. The budget request of $664,000,000 is provided for the Rocky Flats site in Colorado. Additional funding to accelerate cleanup is provided for the following projects: $25,000,000 for Fernald, Ohio; $4,000,000 for the Mound site in Ohio; and $5,000,000 for the Columbus environmental management project in Ohio. The conferees expect the Department to request adequate funds to keep each of these projects on schedule for closure by 2006 or earlier.

From within available funds, $5,500,000 has been transferred to the safeguards and security program to offset increased security costs in fiscal year 2003.

Funding of $55,651,000, an increase of $18,500,000 over the budget request, is provided for safeguards and security. Any savings resulting from safeguards and security costs are to be retained and used for cleanup activities at the closure sites.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement provides $158,399,000, the same as the budget request, for the defense environmental management privatization program.

OTHER DEFENSE ACTIVITIES

The conference agreement provides $546,554,000 for Other Defense Activities instead of $485,076,000 as proposed by the House and $537,664,000 as proposed by the Senate. Details of the conference agreement are provided below.

ENERGY SECURITY AND ASSURANCE

The conference agreement provides $56,686,000 for the energy security and assurance program. Funding of $27,500,000 is provided for the National Infrastructure Simulation and Analysis Center (NISAC) in New Mexico, and $16,000,000 to the National Energy Technology Laboratory in West Virginia to assist the energy assurance office, as proposed by the Senate. The conference agreement includes $2,000,000 for a pilot project in Washington, DC, to be carried out in conjunction with the local power provider and administered by the Washington Metropolitan Council of Governments to protect and harden electricity infrastructure in the Nation's Capital, an area uniquely susceptible to terrorist attack. The conference agreement also includes $3,000,000 to establish the Idaho Critical Infrastructure Testbed at the Idaho National Environmental and Engineering Laboratory.

OFFICE OF SECURITY

The conference agreement provides $185,515,000, the same as the budget request, for the office of security.

The conference agreement provides total safeguards and security funding of $1,267,791,000 for safeguards and security activities at the Department of Energy. In addition to the funding provided for the office of security, the conference agreement provides $30,000,000 for security and safeguards activities performed by the Department's chief information officer and $1,052,276,000 for safeguards and security activities at the Department's field offices and facilities.

INTELLIGENCE

The conference agreement includes $41,246,000, the same as the budget request, for the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes $45,955,000, the same as the budget request, for the Department's counterintelligence program.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides $22,430,000, the same as the budget request, for the independent oversight and performance assurance program.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $103,850,000 for defense-related environment, safety and health activities including $48,160,000 for health effects studies and $13,500,000 for the Radiation Effects Research Foundation, the same as the budget request. The conferees have provided $3,550,000 for medical monitoring at the gaseous diffusion plants and $5,000,000 to continue a program at the University of Nevada-Las Vegas for Department-wide management of electronic records. From within available funds, the Department is directed to complete the health studies at the Iowa Army Ammunition Plant and initiate a beryllium screening and outreach program for workers employed at vendors in the Worchester, Massachusetts, area who supplied beryllium to the Atomic Energy Commission.

The General Accounting Office (GAO) is directed to conduct a study on the effectiveness of the benefit program under Subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 in assisting the Department of Energy contractor employees in obtaining compensation for occupational illness. Not later than 120 days after the date of enactment of this Act, the GAO shall submit a report to the House and Senate Committees on Appropriations, the Senate Energy and Natural Resources Committee, and the House Energy and Commerce Committee on the results of this study. The conferees direct the GAO not to displace any other requests by the House and Senate Committees on Appropriations.

The conference agreement includes $17,149,000 for program direction, the same as the budget request.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides $21,183,000 for the worker and community transition program instead of $19,683,000 as proposed by the House and $25,683,000 as proposed by the Senate. The conference agreement includes a total of $3,500,000, an increase of $1,500,000 over the budget request, for workforce restructuring at the Paducah, Kentucky, gaseous diffusion plant. Funding of $2,000,000 has been provided for infrastructure improvements at the former Pinellas weapons plant as proposed by the House.

The conference agreement does not provide any guidance on the proposed final rule implementing Part D of the Energy Employees Occupational Illness Compensation Program.

No funds may be used to augment the $21,183,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides $87,468,000 for national security programs administrative support instead of $30,587,000 as proposed by the House and $50,587,000 as proposed by the Senate. Included within this amount is $21,800,000 for the national security portion of the cybersecurity and communications initiative and the corporate management improvement program that are fully funded in the Departmental Administration account.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $2,933,000 for the Office of Hearings and Appeals, the same as the budget request.

FUNDING ADJUSTMENTS

Funding adjustments include a security charge for reimbursable work of $712,000 and a reduction of $20,000,000 to be applied to those programs that have balances carried over from prior fiscal years and lower priority program activities.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $315,000,000 for the defense contribution to the nuclear waste repository program as proposed by the House instead of $280,000,000 as proposed by the Senate.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION

The conference agreement provides $700,000,000 of new borrowing authority to the Bonneville Power Administration as proposed by the Senate. The bill language is included in Division N of the conference report. The conferees direct the Bonneville Power Administration to submit a detailed budget justification, by project, for its total capital improvement program to the House and Senate Committees on Appropriations not later than March 30, 2003, and to be submitted thereafter as part of the annual budget request, for approval by the House and Senate Committees on Appropriations.

No new direct loan obligations may be made during fiscal year 2003.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $4,534,000, the same as the budget request, for the Southeastern Power Administration. The conference agreement provides for the same level of purchase power and wheeling as in fiscal year 2002.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $27,378,000, the same as the budget request, for the Southwestern Power Administration. The conference agreement provides for the same level of purchase power and wheeling as in fiscal year 2002. The conference agreement also provides Southwestern with the authority to accept an additional $8,043,000 of non-Federal reimbursable funding to fulfill its obligations under the Southwest Power Pool Open Access Transmission Tariff.

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

The conference agreement provides $168,858,000 as proposed by the Senate instead of $162,758,000 as proposed by the House. The conference agreement includes $6,100,000 for the Utah Mitigation and Conservation Account. The conference agreement also includes language as proposed by the Senate regarding the Belfield-Hettinger transmission line in North Dakota and includes $4,000,000 to fund high priority portions of the South of Phoenix portion of the Parker-Davis Project transmission system as proposed by the House.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement includes $2,734,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $192,000,000 for the Federal Energy Regulatory Commission (FERC). Revenues for FERC are set at an amount equal to the budget authority, resulting in a net appropriation of $0.

The conferees are aware that the California Public Utilities Commission (CPUC) has requested several FERC actions in regard to investigating electricity market manipulations. The conferees expect FERC to act diligently upon the CPUC's requests.

The Conferees are very concerned about the possible impact on regional electricity prices of FERC's proposed rule for Standard Market Design (SMD). The Secretary of Energy is directed to submit to the House and Senate Committees on Appropriations, the House Energy and Commerce Committee, and the Senate Energy and Natural Resources Committee an independent analysis of the impact of the SMD rule that FERC proposes to finalize. This independent analysis must compare wholesale and retail electricity prices and the impact on the safety and reliability of generation and transmission facilities in the major regions of the country both under existing conditions and under the proposed SMD rule. This analysis must also address the proposed SMD rule's:

(a) costs and benefits, including its impacts on energy infrastructure development and investor confidence;

(b) impacts on state utility regulation;

(c) financial impact on retail customers;

(d) impact on the reasonableness of electricity prices; and

(e) impact on the safe, reliable, and secure operation of the Nation's generation and transmission facilities.

The Secretary shall work in consultation with the FERC so that the Secretary's analysis will most accurately address the contents and conclusions of the most current version of the proposed rule. The Secretary shall submit the independent analysis no later than April 30, 2003.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Sec. 301.—The conference agreement modifies a provision proposed by the House that none of the funds may be used to award a management and operating contract, or a contract for environmental remediation or waste management in excess of $100,000,000 in annual funding, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures, or the Secretary of Energy grants a waiver to allow for such a deviation.

Within 30 days of formally notifying the incumbent contractor that the Secretary intends to grant such a waiver, the Secretary must submit a report setting forth, in specificity, the substantive reasons why the requirement for competition should be waived.

This language modifies a provision carried in previous Energy and Water Development Appropriations Acts.

Sec. 302.—The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102–484. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 303.—The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to augment the $21,183,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 304.—The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if that program has not been funded by Congress in the current fiscal year. This provision also precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress. This provision has been carried in previous Energy and Water Development Appropriations Acts.

TRANSFERS OF UNEXPENDED BALANCES

Sec. 305.—The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 306.—The conference agreement includes a provision proposed by the House prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 307.—The conference agreement includes a provision proposed by the House establishing certain notice and competition requirements for Department of Energy user facilities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 308.—The conference agreement includes a provision proposed by the House and Senate allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants to use not more than 2 percent of available funds for research, development and demonstration activities. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 309.—The conference agreement includes a provision proposed by the House and Senate allowing the Administrator of the National Nuclear Security Administration to authorize the manager of the Nevada Operations Office to use not more than 2 percent of available funds for research, development and demonstration activities necessary for operations and readiness of the Nevada Test Site.

Sec. 310.—The conference agreement includes a provision proposed by the House that would repeal section 310 of Public Law 106–60, the Energy and Water Development Appropriations Act, 2000, which required submission of funding plans from Department of Energy laboratories.

Sec. 311.—The conference agreement includes a provision proposed by the House which would authorize intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947 until enactment of the Intelligence Authorization Act for fiscal year 2003.

Sec. 312.—The conference agreement includes a provision proposed by the Senate limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackage residues; and scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 313.—The conference agreement includes a provision proposed by the Senate

providing that funds appropriated in Public Law 107–66 for the Kachemak Bay submarine cable 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 passage of that Act.

Sec. 314.—The conference agreement includes a provision proposed by the Senate requiring that upon the request of the licensee for FERC License No. 11393, the Federal Energy Regulatory Commission shall issue an order staying the license.

Sec. 315.—The conference agreement modifies a provision proposed by the Senate providing that none of the funds for Department of Energy environmental management activities may be obligated at a Department of Energy site or laboratory in excess of the current-year level of funding or the fiscal year 2003 budget request, whichever is greater, unless the site or laboratory has entered into a site performance management plan consistent with the intent of the Department's environmental management acceleration and reform initiative.

Sec. 316.—The conference agreement modifies a provision proposed by the Senate prohibiting the National Nuclear Security Administration (NNSA) from taking any actions adversely affecting employment at its Nevada Operations Office for a period of not less than 365 days. The conference agreement includes a provision allowing the Administrator of the NNSA to seek a waiver from this requirement. Similar to a reprogramming action, written approval must be received from the Chairmen and Ranking Members of the House and Senate Energy and Water Development Appropriations Subcommittees.

Sec. 317.—The conference agreement includes a provision providing that notwithstanding any other provision of law, the Secretary of Energy shall proceed with planning and analyses for external regulation of the Department's laboratories under the Office of Science.

Provisions not adopted by the conference.—The conference agreement deletes language proposed by the Senate that: requires the General Accounting Office to conduct a study of the effectiveness of the benefit program under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000; requires the General Accounting Office to conduct a study of the cleanup progress at the Paducah Gaseous Diffusion Plant in Paducah, Kentucky; and prohibits the use of funds in this or any other Act to withdraw from availability or otherwise adversely affect the planned expenditure of funds previously made available for Cerro Grande Fire activities.—These requirements are addressed in the statement of the managers.

Language proposed by the Senate allowing the Secretary of Interior to participate in the CALFED Bay-Delta Authority has been modified and moved to Title II.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems	86,005	90,000
Geothermal technology development	26,500	30,000
Hydrogen research	39,881	40,000
Hydropower	7,489	5,300
Solar energy	87,625	95,000
Wind energy systems	44,000	44,000
Total, Renewable energy technologies	291,500	304,300
Electric energy systems and storage	70,447	85,000
Renewable support and implementation		
Departmental energy management	3,000	1,500
International renewable energy program	6,500	4,000
Renewable energy production incentive program	4,000	5,000
Renewable Indian energy resources	8,307	6,000
Renewable program support	2,059	5,000
Total, Renewable support and implementation	23,866	21,500
National renewable energy laboratory	4,200	4,700
Construction		
02-E-001 Project engineering and design, NREL Golden, CO	800	800
Total, National renewable energy laboratory	5,000	5,500
Program direction	16,187	16,000
Subtotal, Renewable Energy Resources	407,000	432,300
Use of prior year balances	---	-10,000
TOTAL, RENEWABLE ENERGY RESOURCES	407,000	422,300
NUCLEAR ENERGY		
Radiological facilities management		
Space and defense infrastructure	---	28,950
Medical isotopes infrastructure		
Isotope support and production	---	25,497
Construction		
99-E-201 Isotope production facility (LANL)	---	1,721
Subtotal, Isotope support and production	---	27,218
Offsetting collections	---	-6,400
Subtotal, Medical isotopes infrastructure	---	20,818
Total, Radiological facilities management	---	49,768
University reactor fuel assistance and support	17,500	18,500

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
Research and development		
Nuclear energy plant optimization	---	5,000
Nuclear energy research initiative	25,000	25,000
Nuclear energy technologies	46,500	45,000
Total, Research and development	71,500	75,000
Fast flux test facility (FFTF)	36,100	---
Idaho facilities management		
Radiological facilities	78,977	---
ANL-West operations	---	31,615
Test reactor area landlord	---	8,815
Subtotal	78,977	40,430
Construction		
99-E-2-1 Isotope production facility (LANL)	1,721	---
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Lab, ID	1,840	1,840
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Lab, ID	500	500
Subtotal, Construction	4,061	2,340
Total, Idaho facilities management	83,038	42,770
Advanced fuel cycle initiative	18,221	58,211
Program direction	23,439	23,439
Subtotal, Nuclear Energy	249,798	267,688
Use of prior year balances	---	-6,000
TOTAL, NUCLEAR ENERGY	249,798	261,688
ENVIRONMENT, SAFETY AND HEALTH		
Office of Environment, Safety and Health (non-defense)	10,340	6,840
Program direction	18,871	15,860
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	29,211	22,700
ENERGY SUPPORT ACTIVITIES		
Technical information management program	1,400	---
Program direction	6,525	---
TOTAL, ENERGY SUPPORT ACTIVITIES	7,925	---
Subtotal, Energy supply	693,934	706,688
General reduction	---	-5,211
TOTAL, ENERGY SUPPLY	693,934	701,477

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
NON-DEFENSE ENVIRONMENTAL MANAGEMENT		
Site closure	---	95,000
Site/project completion	51,272	57,425
Post 2006 completion	112,887	22,688
Fast flux test facility (FFTF)	---	36,100
Long-term stewardship	---	14,180
Excess facilities	1,841	1,841
Subtotal, Non-Defense Environmental Management	166,000	227,234
Use of prior year balances	---	-12,134
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT	166,000	215,100
URANIUM FACILITIES MAINTENANCE AND REMEDIATION		
Uranium Enrichment Decontamination and Decommissioning Fund		
Decontamination and decommissioning	234,523	324,329
Uranium/thorium reimbursement	1,000	16,000
Total, Uranium enrichment D&D fund	235,523	340,329
Other Uranium Activities		
Maintenance and pre-existing liabilities	146,631	141,210
Use of prior year balances	---	-25,000
TOTAL, URANIUM FACILITIES MAINTENANCE AND REMEDIATION	382,154	456,539
SCIENCE		
High energy physics	704,897	706,897
Construction		
98-G-304 Neutrinos at the main injector, Fermilab	20,093	20,093
Total, High energy physics	724,990	726,990
Nuclear physics	382,370	384,370
Biological and environmental research	504,215	530,000
Basic energy sciences		
Research		
Materials sciences and engineering research	547,883	551,378
Chemical sciences, geosciences and energy biosciences	220,146	221,551
Subtotal, Research	768,029	772,929
Construction		
03-SC-002 Project engineering & design (PED) SLAC	6,000	6,000
03-R-312 Center for nanophase materials sciences, ORNL	24,000	24,000
03-R-313 Center for Integrated Nenotechnology	---	4,500
02-SC-002 Project engineering and design (VL)	11,000	12,000

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
99-E-334 Spallation neutron source (ORNL)	210,571	210,571
Subtotal, Construction	251,571	257,071
Total, Basic energy sciences	1,019,600	1,030,000
Advanced scientific computing research	169,625	172,625
Energy research analyses	1,020	---
Science laboratories infrastructure		
Infrastructure support	1,020	1,020
Oak Ridge landlord	5,079	5,079
Excess facilities disposal	5,055	8,000
Construction		
03-SC-001 Science laboratories infrastructure project engineering and design (PED), various loc.	3,355	3,355
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	28,226	28,226
Subtotal, Construction	31,581	31,581
Total, Science laboratories infrastructure	42,735	45,680
Fusion energy sciences program	257,310	250,000
Safeguards and security	48,127	48,765
Science workforce development	---	5,460
Science program direction		
Field offices	70,163	72,403
Headquarters	58,224	55,984
Science education	5,460	---
Technical information management program	---	7,000
Energy research analyses	---	1,000
Total, Science program direction	133,847	136,387
Subtotal, Science	3,283,839	3,330,277
General reduction/use of prior year balances	---	-20,000
Less security charge for reimbursable work	-4,383	-4,383
TOTAL, SCIENCE	3,279,456	3,305,894
NUCLEAR WASTE DISPOSAL		
Repository program	212,813	85,000
Program direction	62,989	60,000
TOTAL, NUCLEAR WASTE DISPOSAL	275,802	145,000
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	4,645	4,300
Board of contract appeals	743	743
Chief information officer	30,862	29,000
Congressional and intergovernmental affairs	4,953	4,500
Economic impact and diversity	5,121	5,000

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
General counsel	22,813	21,813
Office of Management, Budget and Evaluation	106,536	103,000
Policy and international affairs	16,840	14,000
Public affairs	4,531	3,900
Subtotal, Salaries and expenses	197,044	186,256
Program support		
Minority economic impact	1,400	1,200
Policy analysis and system studies	800	400
Energy security and assurance	2,000	1,500
Environmental policy studies	1,200	600
Engineering and construction management reviews	---	5,000
Cybersecurity and secure communications	32,027	30,000
Corporate management information program	20,420	15,000
Subtotal, Program support	57,847	53,700
Total, Administrative operations	254,891	239,956
Cost of work for others	69,916	69,916
Subtotal, Departmental Administration	324,807	309,872
Use of prior year balances and other adjustments	---	-15,000
Funding from other defense activities	-25,587	-87,468
Total, Departmental administration (gross)	299,220	207,404
Miscellaneous revenues	-137,524	-120,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	161,696	87,404
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	37,671	37,671
TOTAL, OFFICE OF INSPECTOR GENERAL	37,671	37,671
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work		
Stockpile research and development	467,149	467,149
Stockpile maintenance	401,157	401,157
Stockpile evaluation	197,184	197,184
Dismantlement/disposal	24,378	24,378
Production support	137,706	137,706
Field engineering, training and manuals	6,893	6,893
Total, Directed stockpile work	1,234,467	1,234,467

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
Campaigns		
Science campaigns		
Primary certification	47,159	47,159
Dynamic materials properties	87,594	87,594
Advanced radiography	52,925	72,925
Secondary certification and nuclear systems margins	47,790	47,790
Subtotal, Science campaigns	235,468	255,468
Engineering campaigns		
Enhanced surety	37,713	32,000
Weapons system engineering certification	27,007	27,007
Nuclear survivability	23,394	23,394
Enhanced surveillance	77,155	77,155
Advanced design and production technologies	74,141	74,141
Subtotal, Engineering campaigns	239,410	233,697
Inertial confinement fusion ignition and high yield	237,748	290,248
Construction		
96-D-111 National ignition facility, LLNL	214,045	214,045
Subtotal, Inertial confinement fusion	451,793	504,293
Advanced simulation and computing	669,527	649,000
Construction		
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	13,305	13,305
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	35,030	35,030
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	7,000	7,000
Subtotal, Construction	55,335	55,335
Subtotal, Advanced simulation and computing	724,862	704,335
Pit manufacturing and certification	194,484	222,000
Readiness campaigns		
Stockpile readiness	61,027	61,027
High explosives manufacturing and weapons assembly/disassembly readiness	12,093	12,093
Non-nuclear readiness	22,398	22,398
Tritium readiness	56,134	48,069
Construction		
98-D-125 Tritium extraction facility, SR	70,165	70,165
Subtotal, Tritium readiness	126,299	118,234
Subtotal, Readiness campaigns	221,817	213,752
Total, Campaigns	2,067,834	2,133,545
Readiness in technical base and facilities		
Operations of facilities	949,920	1,026,782
Program readiness	208,089	219,963
Special projects	37,744	49,500

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
Material recycle and recovery	98,816	103,816
Containers	17,721	17,721
Storage	14,593	14,593
Nuclear weapons incident response	91,000	91,000
Subtotal, Readiness in technical base and fac	1,417,883	1,523,375
Construction		
03-D-101 Sandia underground reactor facility SURF, SNL, Albuquerque, NM	2,000	---
03-D-102 LANL Administration Building (LANL)	---	12,000
03-D-103 Project engineering and design various locations	15,539	11,139
03-D-121 Gas transfer capacity expansion, Kansas City Plant, Kansas City, MO	4,000	4,000
03-D-122 Purification facility, Y-12 plant, Oak Ridge, TN	20,800	28,184
03-D-123 Special nuclear materials requalification, Pantex plant, Amarillo, TX	3,000	6,620
02-D-103 Project engineering and design, various locations	27,245	17,306
02-D-105 Engineering technology complex upgrade, LLNL	10,000	10,000
02-D-107 Electrical power systems safety communications and bus upgrades, NV	7,500	7,500
01-D-103 Project engineering and design (PE&D), various locations	6,164	---
01-D-107 Atlas relocation, Nevada test site	4,123	4,123
01-D-108 Microsystems and engineering sciences applications complex (MESA), SNL	75,000	113,000
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN	25,000	25,000
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX	8,650	8,650
01-D-800 Sensitive compartmented information facility, LLNL	9,611	9,611
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	4,011	4,011
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA	5,915	5,915
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO	29,900	29,900
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX	407	407
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River, SC	10,481	10,481

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
96-D-102 Stockpile stewardship facilities revitalization (Phase VI), various locations	1,000	1,000
Subtotal, Construction	270,346	308,847
Total, Readiness in technical base and facilities	1,688,229	1,832,222
Facilities and infrastructure recapitalization program	242,512	242,512
Secure transportation asset		
Operations and equipment	100,863	100,863
Program direction	52,126	52,126
Total, Secure transportation asset	152,989	152,989
Safeguards and security	501,054	517,354
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM	8,900	8,900
Total, Safeguards and security	509,954	526,254
Subtotal, Weapons activities	5,895,985	6,121,989
Use of prior year balances	---	-138,800
Less security charge for reimbursable work	-28,985	-28,985
TOTAL, WEAPONS ACTIVITIES	5,867,000	5,954,204
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	283,407	283,407
Nonproliferation and international security	92,668	92,668
Nonproliferation programs with Russia		
International materials protection, control, and cooperation	233,077	233,077
Accelerated highly enriched uranium (HEU) disposition	---	14,000
Russian transition initiative	39,334	39,334
HEU transparency implementation	17,229	17,229
International nuclear safety	14,576	11,576
Elimination of weapons-grade plutonium production program	49,339	49,339
Fissile materials disposition		
U.S. surplus materials disposition	194,000	198,372
Russian surplus materials disposition	98,000	98,000
Construction		
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	30,000	23,628
99-D-141 Pit disassembly and conversion facility Savannah River, SC	33,000	35,000

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	93,000	93,000
Subtotal, Construction	156,000	151,628
Subtotal, Fissile materials disposition	448,000	448,000
Total, Nonproliferation programs with Russia	801,555	812,555
Subtotal, Defense nuclear nonproliferation	1,177,630	1,188,630
Use of prior year balances	-64,000	-75,000
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	1,113,630	1,113,630
NAVAL REACTORS		
Naval reactors development	671,290	671,290
Construction		
03-D-201 Cleanroom technology facility, Bettis atomic power lab, West Mifflin, PA	7,200	7,200
01-D-200 Major office replacement building, Schenectady, NY	2,100	2,100
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	2,000	2,000
Subtotal, Construction	11,300	11,300
Total, Naval reactors development	682,590	682,590
Program direction	24,200	24,200
TOTAL, NAVAL REACTORS	706,790	706,790
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	335,929	273,929
Defense nuclear nonproliferation	---	57,000
TOTAL, OFFICE OF THE ADMINISTRATOR	335,929	330,929
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	8,023,349	8,105,553
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Site/project completion		
Operation and maintenance	779,706	973,906
Construction		
03-D-414, Preliminary project engineering and design (PE&D), Aiken, SC	---	8,800
02-D-402 Intec cathodic protection system expansion project, INEEL, Idaho Falls, ID	1,119	1,119
02-D-420 Plutonium packaging and stabilization, Savannah River	2,000	2,000

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
01-D-414 Preliminary project, engineering and design (PE&D), various locations	5,125	5,125
Subtotal, Construction	8,244	17,044
Total, Site/project completion	787,950	990,950
Post 2006 completion		
Operation and maintenance	1,702,241	2,180,509
Construction		
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	14,870	14,870
Office of River Protection		
Operation and maintenance	226,256	455,256
Construction		
03-D-403 Immobilized high-level waste interim storage facility, Richland, WA	6,363	6,363
01-D-416 Hanford waste treatment plant, Richland, WA	619,000	619,000
97-D-402 Tank farm restoration and safe operations, Richland, WA	25,424	25,424
94-D-407 Initial tank retrieval systems, Richland, WA	20,945	20,945
Subtotal, Construction	671,732	671,732
Subtotal, Office of River Protection	897,988	1,126,988
Total, Post 2006 completion	2,615,099	3,322,367
Uranium enrichment D&D fund contribution	---	442,000
Science and technology	92,000	118,175
Excess facilities	1,300	5,000
Multi-site activities	479,871	64,352
Safeguards and security	228,260	268,607
Program direction	344,000	344,000
Subtotal, Defense environmental management	4,548,480	5,555,451
Use of prior year balances	---	-80,924
Less security charge for reimbursable work	-4,347	-4,347
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,544,133	5,470,180
ENVIRONMENTAL MANAGEMENT CLEANUP REFORM		
Environmental management cleanup reform	1,100,000	---
DEFENSE FACILITIES CLOSURE PROJECTS		
Site closure	1,054,153	1,082,653
Safeguards and security	37,161	55,661
TOTAL, DEFENSE FACILITIES CLOSURE PROJECTS	1,091,314	1,138,314

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION		
Privatization initiatives, various locations	158,399	158,399
TOTAL, DEFENSE ENVIRONMENTAL MGMT. PRIVATIZATION	158,399	158,399
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT	6,893,846	6,766,893
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Energy security and assurance		
Energy security	23,411	52,411
Program direction	4,275	4,275
Subtotal, Energy security and assurance	27,686	56,686
Office of Security		
Nuclear safeguards and security	91,102	91,102
Security investigations	45,870	45,870
Program direction	48,543	48,543
Subtotal, Office of Security	185,515	185,515
Intelligence	41,246	41,246
Counterintelligence	45,955	45,955
Independent oversight and performance assurance	22,430	22,430
Environment, safety and health (Defense)	81,892	86,701
Program direction - EH	17,149	17,149
Subtotal, Environment, safety & health (Defense)	99,041	103,850
Worker and community transition	22,965	19,183
Program direction - WT	2,718	2,000
Subtotal, Worker and community transition	25,683	21,183
National Security programs administrative support	25,587	87,468
Office of hearings and appeals	2,933	2,933
Subtotal, Other defense activities	476,076	567,266
Use of prior year balances	-6,700	-20,000
Less security charge for reimbursable work	-712	-712
TOTAL, OTHER DEFENSE ACTIVITIES	468,664	546,554
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	315,000	315,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	15,700,859	15,734,000

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Budget Request	Conference
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	20,000	34,463
Program direction	4,606	4,606
Subtotal, Operation and maintenance	24,606	39,069
Offsetting collections	---	-14,463
Offsetting collections (P.L. 106-377)	-20,000	-20,000
Use of prior year balances	-72	-72
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	4,534	4,534
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	3,814	3,814
Purchase power and wheeling	288	1,800
Program direction	17,933	17,933
Construction	6,031	6,031
Subtotal, Operation and maintenance	28,066	29,578
Offsetting collections	---	-1,512
Offsetting collections (P.L. 106-377)	-288	-288
Use of prior year balances	-400	-400
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	27,378	27,378
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	17,784	17,784
System operation and maintenance	37,796	37,796
Purchase power and wheeling	30,000	186,124
Program direction	108,378	108,378
Utah mitigation and conservation	---	6,100
Subtotal, Operation and maintenance	193,958	356,182
Offsetting collections	---	-156,124
Offsetting collections (P.L. 106-377)	-30,000	-30,000
Use of prior year balances	-1,200	-1,200
TOTAL, WESTERN AREA POWER ADMINISTRATION	162,758	168,858
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,734	2,734
TOTAL, POWER MARKETING ADMINISTRATIONS	197,404	203,504
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	192,000	192,000
FERC revenues	-192,000	-192,000
GRAND TOTAL, DEPARTMENT OF ENERGY	20,894,976	20,886,589

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes $71,290,000 for the Appalachian Regional Commission (ARC) as proposed by the House instead of $74,400,000 as proposed by the Senate. The conferees support the Appalachian-Turkish Trade Project to promote trade and investment opportunities. From within available funds, $5,000,000 has been provided for a child development research center at the University of Alabama and $8,000,000 for the newly authorized telecommunications program within the ARC. The conferees are aware of the Intermodal Industrial Park project in Wellsville, Ohio, and urge the ARC to help the Columbiana County Port Authority complete the project.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The conference agreement includes $19,000,000 for the Defense Nuclear Facilities Safety Board as proposed by the House and Senate.

DELTA REGIONAL AUTHORITY

The conference agreement includes $8,000,000 for the Delta Regional Authority instead of $15,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees expect the Authority to submit to the House and Senate Committees on Appropriations quarterly financial reports providing detailed accounting data on the expenditure of funds during fiscal year 2003 and thereafter. The conferees also expect to receive from the Authority a detailed budget justification in fiscal year 2004. The Authority failed to comply with this requirement in fiscal year 2003.

DENALI COMMISSION

The conference agreement includes $48,000,000 for the Denali Commission instead of $50,000,000 as proposed by the Senate and no funding as proposed by the House. The conferees expect the Denali Commission to submit to the House and Senate Committees on Appropriations quarterly financial reports providing detailed accounting data on the expenditure of funds during fiscal year 2003 and thereafter. The conferees also expect to receive from the Commission a detailed budget justification in fiscal year 2004.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $578,184,000 as proposed by the House and the Senate, to be offset by revenues of $520,087,000, for a net appropriation of $58,097,000. This reflects the statutory language adopted by the conference in fiscal year 2001 to reduce the fee recovery requirement to 94 percent in fiscal year 2003. The conference amount provides the same total amount as the budget request, including the $29,300,000 requested for security expenses, but applies the fee recovery requirement to this increment of funding.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $6,800,000 as proposed by the House and Senate, to be offset by revenues of $6,392,000, for a net appropriation of $408,000. This reflects the statutory language adopted by the conference in fiscal year 2001 to reduce the fee recovery requirement to 94 percent in fiscal year 2003.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

The conference agreement provides $3,200,000, the same as the budget request.

TITLE V

GENERAL PROVISIONS

Sec. 501.—The conference agreement includes language directing that none of the funds in this Act or any prior appropriations Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 502.—The conference agreement includes language regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America. This provision has been carried in previous Energy and Water Development Appropriations Acts.

Sec. 503.—The conference agreement includes language proposed by the House providing that none of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

Sec. 504.—The conference agreement includes language proposed by the Senate that extends the existing authority for the Denali Commission until 2008.

Sec. 505.—The conference agreement includes language proposed by the Senate that amends section 503 of the Energy and Water Development Appropriations Act, 2002, by extending the prohibition of oil and gas drilling in the Great Lakes until 2005.

Sec. 506.—The conference agreement includes a provision clarifying that the Department of Energy's discretionary indemnification authority will protect communities, lenders, and subsequent owners of former Department of Energy property to the same extent that communities impacted by base closures are protected.

Sec. 507.—The conference agreement includes a provision directing the Director of the Office of Management and Budget to transmit to Congress by April 1, 2003, a crosscut budget displaying, by fiscal year, all CALFED Bay-Delta Program related expenditures by the Federal government for fiscal years 1996 through 2004.

Provisions not adopted.—The conference agreement deletes language proposed by the House prohibiting obligation of funds by the Federal Energy Regulatory Commission to grant any public utility the authority to use market-based rates until the Commission has issued a final order in all market-based rate cases that have been pending before the Commission for more than 18 months.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

[in thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$25,795,359
Budget estimates for new (obligational) authority, fiscal year 2003	26,163,457
House bill, fiscal year 2003	26,541,000
Senate bill, fiscal year 2003	26,649,991
Conference agreement, fiscal year 2003	26,678,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	+882,641
Budget estimates of new (obligational) authority, fiscal year 2003	+514,543
House bill, fiscal year 2003	+137,000
Senate bill, fiscal year 2003	+28,000

DIVISION E

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2003

In determining Congressional intent for the obligation and programming of funds for fiscal year 2003, the appropriate departments and agencies funded under this Act shall rely on House Report 107–663, the Senate report as printed in the Congressional Record of January 15, 2003, and the statement of the managers. Any ambiguity shall be resolved by consulting with the Committees on Appropriations.

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

The conference agreement appropriates $512,900,000 for the subsidy appropriation for the Export-Import Bank.

The managers are aware of an inter-agency agreement among the Departments of State and Defense, the Export-Import Bank, and USAID that establishes reporting procedures regarding compliance with section 512 of the Act, the so-called Brooke amendment, and section 620(q) of the Foreign Assistance Act. The procedures provide a mechanism to share information among those agencies regarding countries that are either in arrears on loan repayments owed the United States or which may soon become in arrears. Since the provision of foreign assistance to countries in arrears is restricted by those sections, information required by these procedures is of great importance to the administration of foreign assistance funds. The managers are therefore concerned about reports that the Export-Import Bank has, in at least two instances this year, failed to provide information on arrearages in a timely fashion in accordance with its obligations under the inter-agency agreement. The managers direct the Export-Import Bank to follow the inter-agency agreement and not allow a similar lapse to occur again.

The managers endorse House report language regarding the Export-Import Bank with respect to the domestic steel market, reducing global excess steel making capacity, and subsequent reporting to the Committees on Appropriations.

OVERSEAS PRIVATE INVESTMENT CORPORATION

The managers direct the President of OPIC to continue current policy and consult with the Committees on Appropriations before any future financing for non-governmental organizations or private and voluntary organizations is approved.

The managers are concerned with a number of OPIC projects involving the shrimp industry in Southeast Asia. The managers expect OPIC to consult with the appropriate Congressional committees on this issue.

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

The conference agreement appropriates $47,012,000 for the Trade and Development Agency (TDA) instead of $49,512,000 as proposed by the House and $44,696,000 as proposed by the Senate. The level of funding includes an additional $2,500,000 for trade capacity building assistance instead of $5,000,000 as proposed by the House. The Senate did not address the issue of trade capacity building assistance.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FREQUENCY OF EXECUTIVE BRANCH REPORTS ON COUNTRY ALLOCATIONS

The managers insist that the Department of State and the United States Agency for International Development comply with the

provisions of section 653 of the Foreign Assistance Act of 1961, as amended, regarding the frequency of notifications regarding the allocation of foreign assistance. Enactment of any supplemental appropriations act for foreign assistance requires an additional notification under section 653. When feasible, the Department of State is expected to include amounts from the Migration and Refugee Assistance and Emergency Refugee and Migration Assistance accounts. USAID is expected to include International Disaster Assistance and Transition Initiatives amounts for each country.

In addition, the Department of State and USAID are requested to provide comparable information on regional and centrally-administered programs, and to consult in advance with the relevant committees of Congress regarding reductions in excess of $20,000,000 or ten percent of previously reported amounts for a foreign country, international organization, or regional program.

COMPLIANCE WITH REPORT LANGUAGE

The managers note that at times in the past, the Department of State and USAID have failed to respond to recommendations in the House and Senate Appropriations Committee reports, choosing instead to recognize only language in the statement of the managers accompanying the conference report. The managers expect the Department of State and USAID to follow the recommendations in the House and Senate reports, unless those recommendations are modified in the statement of the managers. In the event that the House and Senate Appropriations Committee reports contain conflicting recommendations on the same subject, the managers expect the Department of State, USAID, and other appropriate agencies to consult with the House and Senate Appropriations Committees regarding those recommendations.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The conference agreement appropriates $1,836,500,000 for the Child Survival and Health Programs Fund instead of $1,710,000,000 as proposed by the House and $1,970,000,000 as proposed by the Senate.

The conference agreement includes language allocating $1,836,500,000 among seven program categories in the Child Survival and Health Programs Fund: $324,000,000 for child survival and maternal health, including vaccine-preventable diseases such as polio; $27,000,000 for vulnerable children; $591,500,000 for HIV/AIDS; $155,500,000 for other infectious diseases; $368,500,000 for reproductive health/family planning; $120,000,000 for UNICEF; and $250,000,000 for the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global ATM Fund). The Committee expects that any change proposed subsequent to the allocation as directed in bill language will be subject to the requirements of section 515 of the Act. A definition of program categories and their components can be found on pages 9 through 11 of House Report 107–142 and under the heading ''Family Planning/ Reproductive Health'' on page 12 of Senate Report 107–58.

The conference agreement provides not less than $800,000,000 for assistance to prevent and treat HIV/AIDS. Of this amount, $591,500,000 is funded through the Child Survival and Health Programs Fund. Another $38,500,000 is provided through other USAID-managed or co-managed accounts, such as the Economic Support Fund, International Disaster Assistance, and regional accounts for Eastern Europe and the former Soviet Union. The remaining $170,000,000 is a conservative estimate of the amount from the Foreign Operations division of this Act that will be allocated for HIV/AIDS by the Global ATM Fund and UN agencies. The estimate of $800,000,000 for AIDS does not include the United States share of HIV/AIDS assistance through the World Bank Group.

The managers are concerned about the growing prevalence of HIV/AIDS in countries of Eastern Europe and the Independent States of the Former Soviet Union. The managers therefore direct that funds from the Child Survival and Health Programs Fund be available for HIV/AIDS programs in Eastern Europe and the Independent States of the Former Soviet Union. The managers also encourage USAID to make available funds from this account for HIV/AIDS programs in ''ESF countries'' other than those for whom funds are specifically mandated in this Act.

The conference agreement also provides a total of $155,500,000 from the Child Survival and Health Programs Fund to combat infectious diseases other than HIV/AIDS, such as malaria and tuberculosis.

In addition, the conference agreement includes $250,000,000 as a contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria, bringing the total United States contribution to the fund to date to $725,000,000. The managers note that the President's request for the Global ATM Fund from Division E of this Act is $100,000,000. The timing of disbursement of the full $725,000,000 is limited by language requiring that the United States contribution may not exceed the total resources provided by other donors and available for use by the Global Fund. The managers note also that, of the awards pledged thus far by the Global ATM Fund to recipient countries, approximately 65 percent are for AIDS interventions, 17 percent are for malaria interventions, and 16 percent are for tuberculosis or combined tuberculosis/AIDS interventions.

When funding through bilateral programs administered by USAID is considered together with the United States contribution to the Global ATM Fund, the conference agreement provides a total of $120,000,000 for tuberculosis assistance. Of this amount, $65,000,000 is funded through the Child Survival and Health Programs account, $15,000,000 from other bilateral accounts, and $40,000,000 through the contribution to the Global Fund. For malaria, the conference agreement provides a total of $115,000,000. Of this amount, it is expected that $42,500,000 of the contribution to the Global Fund will fund malaria programs, $65,000,000 is funded through this account, and $7,500,000 is provided from other bilateral accounts.

The conference agreement includes bill language, proposed by the Senate, regarding the development of microbicides as a means of combating HIV/AIDS.

In addition, the conference agreement includes up to $100,000,000 for mother and child HIV prevention and up to $10,500,000 for a United States contribution to the International AIDS Vaccine Initiative.

The managers are concerned that little progress has been made toward the implementation of the micronutrient programs mandated by Section 3013 of P.L. 107–171 and direct USAID to implement this provision as soon as possible this fiscal year.

The managers support $27,500,000 for the multilateral effort to eradicae polio in fiscal year 2003, instead of $30,000,000 as recommended in the Senate report and $25,000,000 as recommended in the House report.

The managers endorse Senate report language regarding malaria, and recommend that USAID provide direct support to the Medicines for Malaria Venture and the Malaria Vaccine Initiative.

The conference agreement allocates $368,500,000 for family planning/reproductive health within the Child Survival and Health Programs Fund, as proposed by the House, instead of $385,000,000 as proposed by the Senate. Section 522 of the conference agreement mandates that an overall total of $446,500,000 be made available for bilateral family planning/reproductive health from this account, the Economic Support Fund, and the regional accounts for Eastern Europe and the former Soviet Union, as in current law.

The managers endorse the language of the House report with respect to the Dikembe Mutombo Foundation Congolese Hospital, Lott Carey International, and the Caribbean Epidemiology Center.

The managers endorse Senate report language regarding programs for people with disabilities, including recommendations to provide funding for Special Olympics' overseas programs and for Olympic Aid.

The managers also direct USAID to continue to provide the Committees with a detailed annual report not later than March 31, 2003, on the programs, projects, and activities undertaken by the Child Survival and Health Programs Fund during fiscal year 2002.

Funds appropriated for the Child Survival and Health Programs Fund are appropriated for programs, projects and activities. Funds for administrative expenses to manage Fund activities are provided in a separate account, with two exceptions included in the conference agreement: authority for USAID's central and regional bureaus to use up to $150,000 from program funds for Operating Expense-funded personnel to better monitor and provide oversight of the Fund; and, in section 522, authority to use up to $13,500,000 to reimburse other government agencies and private institutions for professional services.

The managers are aware that significant USAID resources are directed toward support for the Global ATM Fund, both at its Geneva headquarters and in developing countries seeking or in receipt of Fund rewards. The managers have no objection to such support, but request a brief written report not later than March 15, 2003 on the extent and cost of such support, including the cost of non-USAID direct hire staff involved in such efforts. In addition, any proposed transfer of appropriations from the Child Survival and Health Programs Fund to the Department of Health and Human Services is limited to $25,000,000 in fiscal year 2003, and such transfer, as well as any transfer to USAID Operating Expenses, under any authority other than this Act shall be subject to section 515 of this Act.

Any proposed obligations for Global Development Alliance programs, projects or activities shall be subject to the regular notification procedures of the Committees on Appropriations.

DEVELOPMENT ASSISTANCE

The conference agreement appropriates $1,389,000,000 for ''Development Assistance'' instead of $1,398,000,000 as proposed by the House and $1,365,500,000 as proposed by the Senate.

The managers have agreed to provide $218,000,000 for basic education, including adult literacy programs, under the development assistance account, as proposed by the House bill, instead of $200,000,000 as proposed by the Senate amendment. In addition, $32,000,000 should be derived from other accounts. The managers endorse the language of the House report with regard to Alfalit International.

The conference agreement includes a provision, similar to a Senate amendment, which provides that $100,000,000 shall be made available for drinking water supply

projects and related activities. The managers request that USAID report within 90 days of enactment of this Act on plans for the disbursement of these funds.

The conference agreement provides that, of the funds for agriculture and rural development programs, $25,000,000 should be provided for plant biotechnology research and development.

The managers support programs that conserve energy and promote efficient energy production and distribution in developing countries. The conference agreement provides in section 555 that $175,000,000 should be made available for these programs. The conference agreement does not include a Senate earmark of $13,000,000 for USAID's Office of Energy and Information Technology. However, the managers are concerned that USAID is not devoting sufficient resources to promoting renewable, clean and efficient energy technologies, of which the United States is the leading manufacturer. The managers are also concerned that funding for USAID's Office of Energy and Information Technology has declined, and that it does not have the staff to adequately address the energy challenges and opportunities in developing countries with rapidly growing populations. The managers recommend additional funding and enhanced staffing for this office in fiscal year 2003.

The managers endorse both the House report and Senate report language on the Institute for Liberty and Democracy (ILD), and strongly recommend that not less than $6,000,000 be made available for the ILD in fiscal year 2003. The managers also endorse the language of the House report with respect to the Education for Development and Democracy Initiative (EEDI), and women's inheritance rights in Africa.

The managers direct that not less than $500,000 be made available for the United States Telecommunications Training Institute, a long-standing and successful program that provides communications and broadcasting training to professionals around the world. The Senate amendment included bill language mandating that such funds be made available for this purpose. The House bill did not address this matter.

The conference agreement provides that $18,000,000 should be made available for the American Schools and Hospitals Abroad program. The Senate amendment included bill language stating that $19,000,000 should be made available for this purpose.

The conference agreement in section 554 includes language directing that USAID should make available $145,000,000 for programs and activities that directly protect biodiversity. The managers strongly support these efforts and expect these funds to be used to protect tropical forests, including support of projects to deter illegal logging in Indonesia, Central Africa and elsewhere, and other threatened biologically diverse areas, both terrestrial and marine. Of this amount, up to $40,000,000 may be available for the subsidy cost of modifying loans and loan guarantees, pursuant to the provisions of the Tropical Forest Conservation Act of 1998. The managers commend the Administration for its Congo Basin Forest Initiative and expect full funding to be made available for the Central African Regional Program for the Environment.

The managers note the Committees' history of commitment to USAID's Office of Women in Development. The managers conclude that the office is currently an underutilized resource at the Agency, and are disappointed with the lack of commitment the Agency has shown to it. The managers are also disappointed that USAID over many years has consistently failed to fully comply with Congressional direction to provide the WID office with adequate financial resources and skilled personnel.

The managers are aware of the ways in which development challenges affect men and women differently. For instance, in recent years, there has been widespread recognition of the importance of investments in educating girls and the unique obstacles to educating girls in developing societies. The managers expect that much of the work on these issues, as well as the funding for these types of interventions, should be derived from bureau and mission program funds. An example of bureau and mission funded activities would be women's leadership training programs, on behalf of which the managers endorse the language and report requirement included in the House report.

The managers urge USAID to increase the capacity of the Bureau for Policy and Program Coordination, in collaboration with the WID office, to provide agency-wide leadership to integrate concerns of women in development strategies, an especially important function as USAID devises new agriculture and trade strategies. The WID office should have the budget, appropriately skilled personnel, and flexibility to consult with overseas missions on country programs, determine the need for better women's integration strategies in each of the functional and regional bureaus and country and regional missions, provide technical assistance in strategic planning as necessary, and offer incentive funds to missions to undertake new gender integration initiatives. The managers remain concerned about the ability of the WID office to have agency-wide impact from its current location within the Bureau for Economic Growth, Agriculture and Trade, and urge the Agency to take all possible steps to alleviate these concerns. The managers direct the Administrator to report to the Committees on Appropriations no later than 120 days after the enactment of this Act on steps taken to address these concerns and recommendations.

The managers strongly support the fertilizer-related research and development being conducted by the International Fertilizer Development Center (IFDC) and urge USAID to make at least $4,000,000 available to IFDC, including not less than $2,300,000 for its core grant, as provided under the Senate amendment and in the House report.

The conference agreement does not include Senate language that USAID should fund programs to provide alternative livelihoods for Vietnamese coffee growers. The managers are deeply concerned with the situation that confronts impoverished Vietnamese coffee farmers, and have been informed that USAID is already engaged in these types of activities. The managers urge USAID to expand these activities and other job-creation efforts in Vietnam. Additionally, the managers endorse the Senate report language on the coffee crisis. The managers also endorse Senate report language regarding Laos.

The managers endorse House report language directing the Secretary of State to initiate discussions with Mexico regarding the Revillagigedo Islands.

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement appropriates $290,000,000 for ''International Disaster Assistance'' as proposed by the Senate, instead of $315,500,000 as proposed by the House. Of this amount, not less than $60,000,000 above the request is appropriated only for Afghanistan, and an additional $25,000,000 is expected to be made available for Afghanistan. The director of the Office of Foreign Disaster Assistance is to consult with the Committees not less than every three months, on the current status of commitments, obligations, and expenditures by the Office and on any proposals to augment ''International Disaster Assistance'' by transfers from other accounts.

TRANSITION INITIATIVES

The conference agreement appropriates $50,000,000 for ''Transition Initiatives'' to support USAID's Office of Transition Initiatives (OTI). The House bill proposed $40,000,000 and the Senate amendment $55,000,000 for this account.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

The conference agreement does not include a Senate earmark of $4,000,000 to support urban programs. However, the managers note the rapid population growth and increasing poverty in cities in developing countries and urge USAID to expand its use of the Development Credit Authority to address these growing urban needs.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement provides $572,000,000 for Operating Expenses of the U.S. Agency for International Development, instead of $572,200,000 as proposed by the House and $571,087,000 as proposed by the Senate.

The managers note that events since September 11, 2001 have imposed increasing administrative costs on the programs of the U.S. Agency for International Development. In particular, these costs have been felt in the Middle East and Asia. The managers are concerned that USAID have sufficient operating expenses resources to assure the safety of its employees and their families in an increasingly dangerous environment. The managers, therefore, request that USAID submit within 90 days of enactment of this Act a report detailing these increased costs agency-wide, with particular emphasis on the Asia/Near East region. This report should include, but not be limited to, an analysis of how the Agency is using operating expenses and how operating expense costs have increased since fiscal year 2001.

The managers endorse the language of the House report with respect to the USAIDLINK program.

CAPITAL INVESTMENT FUND

The conference agreement appropriates $43,000,000 as proposed by the House instead of $65,000,000 as proposed by the Senate.

The conference agreement includes House language that authorizes the Administrator of USAID to assess fair and reasonable rental payments for the use of space by employees of other government agencies; provides that the rental payments shall be deposited into this account as offsetting collections; requires notification for the use of such offsetting collections, as well as for funds appropriated under this heading; and provides that the assignment of United States Government employees and contractors to space in buildings shall be subject to the concurrence of the Administrator of USAID.

The conference agreement assumes $30,000,000 for a new USAID building in Nairobi, as requested by the President.

The conference agreement includes language similar to that of the Senate amendment that authorizes up to $10,000,000 for the costs of temporary, secure facilities in Afghanistan. The managers endorse the Senate report language regarding this matter. The conference report does not contain Senate language that provided not less than $13,000,000 for information technology and related capital investments. The House bill did not address these matters.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates $33,300,000 for Operating Expenses of the United States Agency for International Development, Office of Inspector General, instead of $33,046,000 as proposed by the Senate and $33,700,000 as proposed by the House. The managers encourage the Inspector General to continue the policy of constructive and ongoing reviews of USAID's attempts to resolve its serious financial and human resource management and procurement challenges. The managers also request the Inspector General to inform the Committee promptly of any emerging deficiencies.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The conference agreement appropriates $2,270,000,000 for the Economic Support Fund instead of $2,445,000,000 as proposed by the House and $2,260,000,000 as proposed by the Senate.

The conference agreement includes Senate language providing for the early disbursement of funds for Israel within 30 days of enactment. The House bill included this language, along with language that provided for disbursement by October 31, 2002, whichever was later.

The conference agreement does not include House language providing for $200,000,000 in anti-terrorism assistance for Israel. The Senate amendment did not address this matter.

The conference agreement includes language that provides not less than $200,000,000 for the Commodity Import Program in Egypt as proposed by the Senate. The House bill did not address this matter.

The managers recognize that Egypt is a vital and strategic ally of the United States and plays an important role in the Middle East peace process. However, they remain concerned about the human rights situation in Egypt, especially restrictions on freedom of expression and the promotion of inflammatory speech by government-controlled media, as well as impediments to the development of democracy and the rule of law.

The conference agreement does not include language from the House bill that provided that not less than $45,000,000 should be made available for Afghanistan for a variety of purposes. The Senate amendment did not address this matter under this heading. This matter is addressed under section 523 of the conference report.

The conference agreement does not include Senate language providing that $5,000,000, in addition to funds previously allocated, should be made available for programs that bring together Arabs and Israelis, including three specified organizations. The House bill did not address this matter. However, the managers reiterate strong support for important conflict resolution programs in the Middle East as described in the House report and the Senate bill and report, including Seeds of Peace, the Arava Institute, Jerusalem International YMCA, Interns for Peace, and the CONTACT program, and expect the allocation of up to $5,000,000 for these and similar programs.

The managers endorse the House report language regarding support for the International Arid Lands Consortium. In addition, the managers endorse the House report language regarding the Blaustein Institute for Desert Research. The managers also endorse the House and Senate report language on the International Crisis Group and the Foundation for Environmental Security and Sustainability.

The conference agreement also includes language that provides that not less than $250,000,000 should be made available for assistance for Jordan. The Senate language would have mandated this level of support. The House bill did not address this matter.

The conference agreement does not contain Senate language providing that not less than $75,000,000 should be provided for the West Bank and Gaza. However, it includes language similar to that in the Senate amendment authorizing up to $1,000,000 for further legal reforms, including judicial training on commercial disputes and ethics. The managers request that USAID consult with the Committees on Appropriations on plans for the disbursement of funds.

The managers also endorse the House report language in support of a joint proposal of Al Quds University and the Kuvin Center for Infectious and Tropical Diseases of the Hebrew University in Jerusalem to establish a cooperative project in health and infectious diseases for the West Bank and Gaza.

The conference agreement includes language similar to that in the Senate that provides that not less $15,000,000 shall be available for assistance for Cyprus. The House bill had similar language, but it provided that $15,000,000 should be made available rather than making this level mandatory.

The conference report includes language similar to that in the Senate amendment that provides not less than $35,000,000 for assistance for Lebanon. The House bill included language that recommended this level of assistance for Lebanon, but did not include Senate language regarding child custody and international pickup orders. In addition, funding provided in this account for the Central Government of Lebanon is subject to Congressional notification. The Senate amendment would have prohibited assistance for the central government. The managers direct that funding for American educational institutions in Lebanon from the bilateral assistance program be provided in fiscal year 2003 at no less than the fiscal year 2002 level of $3,500,000.

The managers remain concerned with the failure of the Government of Lebanon, despite repeated requests at the highest levels, to enforce the orders of Lebanese courts requiring the return of abducted American children in Lebanon. The conference agreement provides that the Government of Lebanon should enforce the custody and international pickup orders, issued during calendar year 2001, of Lebanon's civil courts regarding abducted American children in Lebanon.

The conference agreement provides not less than $60,000,000 under this heading for USAID programs in Indonesia. The Senate amendment had included $150,000,000 for Indonesia from all accounts in the Act, including $10,000,000 for programs in Aceh and not less than $5,000,000 for reconstruction and recovery efforts in Bali. The House did not address this matter. The managers recommend $10,000,000 for reconciliation and development programs in Aceh, and $5,000,000 for reconstruction and recovery efforts in Bali.

The managers are outraged by continued reports of the complicity of local Indonesian military units in the murders of Americans Ted Burgon and Rick Spier in Papua last year, and call upon President Megawati Sukarnoputri to use the full authority of her office to bring to justice the perpetrators of this crime.

The managers expect USAID to adequately fund programs and activities relating to parliamentary and presidential elections scheduled in 2004. In addition, the managers recommend continued funding for activities targeted toward the professional development of provincial leaders and institutions. The conference agreement does not include Senate language prohibiting the use of funds made available for Aceh to construct roads or other infrastructure that threatens the habitat of orangutans or other endangered species. However, the managers are concerned that plans to construct a network of roads and other infrastructure in the remaining forest habitat of orangutans and other endangered species in Aceh could rapidly doom these animals to extinction. No U.S. assistance is to be used for such activities.

The conference agreement also includes Senate language that provides that not less than $25,000,000 shall be made available for Timor-Leste, including up to $1,000,000, which may be transferred to and merged with Operating Expenses of the United States Agency for International Development. The House bill did not address this matter.

The conference agreement includes language similar to that in the Senate amendment that recommends that $2,000,000 should be made available for assistance for countries to implement and enforce the Kimberley Process Implementation Scheme (KPIS). The Senate amendment would have provided $3,500,000 for this purpose. The House bill did not address this matter. The managers support the KPIS, an international regime aimed at stopping the trade in ''conflict diamonds'', and urge the diamond industry and non-governmental organizations to provide financial assistance and expertise to help implement KPIS. The managers endorse the Senate report language on this issue.

The conference agreement does not include Senate language regarding human rights programs in North Korea. This matter is addressed under section 526.

The conference agreement contains language similar to that in the Senate amendment that provides $3,000,000 for international youth exchanges for secondary school students from countries with significant Muslim populations. The House bill did not address this matter. The managers note that the allocation of these funds will fulfill a one-year, one-time commitment to fund this program within the foreign operations budget, absent a formal budget request in the future.

The conference agreement does not contain Senate language regarding support for the provision of wheelchairs for needy persons in developing countries. This matter is addressed under ''Child Survival and Health Programs Fund''.

The conference agreement contains language similar to that of the Senate amendment that provides that not less than $10,000,000 should be made available in fiscal year 2003 for a contribution to the Special Court for Sierra Leone. The Senate amendment would have mandated this level of assistance. The House bill did not address this matter. The managers strongly support the efforts of the Court and the Truth and Reconciliation Commission to hold accountable those involved in the atrocities committed during the conflict. The managers continue to be disappointed that the State Department, during fiscal year 2002, ignored the managers' recommendation to accelerate the disbursement of United States funding for the Court to meet pressing transportation, security, and other needs. The managers expect $10,000,000 to be disbursed in fiscal year 2003, and understand that these funds would fulfill a three-year U.S. pledge of assistance for the court.

The conference agreement includes Senate language authorizing the use of not to exceed $200,000,000 for debt restructuring for Pakistan, and not to exceed $15,000,000 of funds appropriated under this heading in Public Law 107–296 for debt restructuring for Jordan. The House bill did not address these matters.

INTERNATIONAL FUND FOR IRELAND

The conference agreement appropriates $25,000,000 as proposed by the House. The Senate amendment contained no provision on this matter.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement appropriates $525,000,000, instead of $520,000,000 as proposed by the House and $530,000,000 as proposed by the Senate.

The conference agreement includes language similar to that from the House bill that provides that $5,000,000 shall be made available for assistance for the Baltic States. The House bill did not mandate this level of assistance. The Senate amendment did not address this matter.

The conference agreement contains language that provides that up to $1,000,000 should be made available for training programs for Kosovar women. The Senate amendment would have mandated $2,000,000 for such programs. The House bill did not address this matter. The managers expect sufficient funding will be provided for reconstruction, reform, and reconciliation efforts in Kosovo. They also endorse the funding level for Serbia as recommended in the Senate report.

The conference agreement contains language that provides that $2,000,000 should be made available to enhance safety at nuclear power plants. It is intended that this nuclear safety program will entail the provision of full scope simulators. The Senate amendment would have mandated $5,000,000 for this purpose. The House bill did not address this matter.

The conference agreement does not include Senate language providing $750,000 to support regional programs and activities to promote reconciliation among ethnic groups within the former Yugoslavia. However, the managers recommend that USAID consider funding for such programs that are conducted by local nongovernmental organizations.

The conference agreement includes Senate language regarding the authority of the President to withhold certain assistance for Bosnia if it has not complied with certain requirements of the Dayton Accord on the withdrawal of foreign forces, and has not terminated intelligence cooperation with state sponsors of terrorism and terrorist organizations. The House bill had similar language, but included a reference to cooperation with Iranian officials rather than state sponsors of terrorism and terrorist organizations.

The managers strongly support the funding level for Montenegro as recommended in the House report.

The managers recommend up to a total of $5,000,000 for the Russian, Eurasian, and East European Research and Training Program (Title VIII). The managers also endorse House report language in support of the East Central European Scholarship Program (ECESP).

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The conference agreement appropriates $760,000,000, instead of $755,000,000 as proposed by the House and $765,000,000 as proposed by the Senate.

The conference agreement includes not less than $60,000,000 for child survival, environmental and other health activities, and programs to reduce the incidence of HIV/AIDS, tuberculosis, and other infectious diseases, including $15,000,000 for reproductive health/family planning. The managers direct the Coordinator and USAID to utilize the higher level of health funding to expand primary and advanced health programs in Central Asia, with an emphasis on reducing the incidence of tuberculosis in the region, including consideration of proposals to establish telemedicine partnerships between United States medical institutions and counterparts in Central Asia. The manager also endorse House and Senate report language regarding the Primary Healthcare Initiative and strongly recommend that not less than $2,500,000 be made available for this program to help it to become self-sustaining.

The managers strongly support regional cooperation efforts among the countries of Armenia, Azerbaijan, and Georgia. To further regional cooperation, the conference agreement continues the current six exemptions from the statutory restrictions on assistance to the Government of Azerbaijan. The managers include a provision that funds available for the Southern Caucasus may be used for confidence-building measures and other activities related to the resolution of regional conflicts, notwithstanding any other provision of law, as proposed by the Senate.

The conference agreement includes not less than $90,000,000 as proposed by the Senate instead of $83,433,000 as proposed by the House, for assistance for Armenia under the heading ''Assistance for the Independent States of the Former Soviet Union''.

The managers strongly encourage the State Department to continue discussions with the sponsors of the proposed CANDEL project and relevant Armenian authorities on the economic viability and sustainability of the project. The managers recommend that continued funding for the project's study be made available form assistance provided for Armenia in this Act.

The managers have not included a specific amount for Georgia in the conference agreement, as proposed by both the Senate and the House, but continue to support the sovereignty and territorial integrity of Georgia, and expect that the request for Georgia will be made available by the Administration. The managers encourage the Government of Georgia to take more effective measures to defend human rights and the rule of law by protecting religious minorities against mob violence. The incidence of such attacks without intervention by police or other security forces is of great concern to the Committees on Appropriations.

The managers commend USAID for its thorough review and consideration of the establishment of an Absorptive Capacity Fund (ACF) for Georgia. Given shifting priorities in that country, the managers rescind their directives in the Conference Report accompanying H.R. 4811 relating to the ACF.

The managers continue to be concerned with the murder of John Alvis, a democracy worker with the International Republican Institute, in Azerbaijan. The managers request that within 30 days of enactment of this Act, the State Department provide an update on the status of the investigation. The managers expect the State Department and relevant Azeri authorities to continue to make this investigation a top priority.

The managers endorse both Senate and House language relating to Ukraine, and reiterate concerns about violence against members of the Rada and with the reports concerning Ukraine's covert transfer of the Kulchuga radar system to Iraq. The conference agreement provides that not less than $20,000,000 should be made available for nuclear reactor safety initiatives in Ukraine, of which $12,000,000 should be for simulator-related projects, and not less than $1,500,000 for coal mine safety programs. This is similar to a Senate amendment. The House did not address this matter.

The managers endorse Senate report language regarding the study of the environmental causes of birth defects in Rivine and Volyn oblasts, and unexploded ordnance and excess weapons stockpiles in Ukraine.

The conference agreement includes conditions on assistance to the Government of the Russian Federation, with exceptions for specified humanitarian and security programs, with respect to its adherence in the Northern Caucasus to certain conventional arms and human rights conventions and agreements, as proposed by both the House and the Senate. The managers reiterate language in the Statement of the Managers from prior years with regard to other limitations on assistance, ''that assistance to combat infectious diseases, . . . support for regional and municipal governments, and partnerships between United States hospitals, universities, judicial training institutions and environmental organizations and counterparts in Russia should not be affected by this section.''

The conference agreement continues current restrictions on United States assistance to the Government of the Russian Federation, unless it provides full access to Chechnya for humanitarian relief organizations. The managers deplore the violations of human rights by both rebels and Russian security forces in Chechnya, as well as the forced resettlement to Chechnya of refugees who are living in appalling conditions. The managers urge the Administration to be more vigorous in pressing the Russian Government to seriously address these concerns.

The conference agreement includes language providing $17,500,000 for the Russian Far East, as proposed by the Senate.

The conference agreement again directs the Coordinator of Assistance to the Independent States to obligate not less than $1,500,000, primarily through locally-based and indigenous private voluntary organizations, to reduce trafficking in women and children.

The managers note that request levels for several countries in the former Soviet Union are declining rapidly, and request that the Coordinator consult with the Committees as he works with USAID to develop new country strategies leading toward eventual graduation of these countries from the United States foreign assistance programs.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

The conference agreement appropriates $16,200,000 instead of $16,000,000 as proposed by the House and $16,385,000 as proposed by the Senate.

AFRICAN DEVELOPMENT FOUNDATION

The conference agreement appropriates $18,689,000 instead of $19,689,000 as proposed by the House and $17,689,000 as proposed by the Senate.

The conference agreement includes Senate language pertaining to earned interest.

PEACE CORPS

The conference agreement provides $297,000,000 instead of $317,000,000 as proposed by the House and $285,000,000 as proposed by the Senate.

The managers have included House language waiving the so-called ''five-year rule'' of employment in the case of employees whose appointment involves the safety of Peace Corps volunteers, such as regional safety security officers and employees within the Office of Inspector General.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates $197,000,00 for International Narcotics Control and Law Enforcement as proposed by the House instead of $196,713,000 as proposed by the Senate.

The conference agreement provides that $10,000,000 should be made available for anti-trafficking in persons programs. The Senate amendment provided $20,000,000 for this purpose, and the House did not address this matter.

The conference agreement also provides that $10,000,000 should be made available for the demand reduction program, as proposed by the House. The Senate did not address this matter.

Additionally, the conference agreement includes language directing that from funds provided under this heading not less than $5,000,000 shall be apportioned directly to the Department of the Treasury, International Affairs Technical Assistance, to be used for financial crimes and law enforcement technical assistance programs. The apportionment of these funds will allow the Department of Treasury to respond to host governments in a more expeditious manner than presently is occurring.

The managers endorse Senate and House report language regarding ILEA, and expect the administration to provide sufficient funding to complete construction on the Roswell Center.

The conference agreement makes available $24,180,000 for administrative expenses instead of $24,062,000 as proposed by the House and $24,300,000 as proposed by the Senate.

ANDEAN COUNTERDRUG INITIATIVE

The conference agreement appropriates $700,000,000 for the Andean Counterdrug Initiative instead of $731,000,000 as proposed by the House and $650,000,000 as proposed by the Senate.

Additionally, the conference agreement allows for the authority to provide up to $31,000,000 through a permissive transfer from the International Narcotics Control and Law Enforcement funds. Such a transfer is subject to the regular notification procedures of the House and Senate Committees on Appropriations. The managers emphasize that there are other funds for Andean nations in this Act that may be made available for the Andean Regional Initiative (ARI).

The conference agreement provides that not less than $250,000,000 shall be directly apportioned to U.S. Agency for International Development, instead of $225,000,000 as provided in the Senate amendment. This provision was not included in the House bill.

The managers have extended the availability of funds provided for assistance for Colombia to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations, and to take actions to protect health and human welfare. This provision is identical to that in the House bill and similar to the provision included in the Senate amendment in section 563. The managers are supportive of the Colombian Government in its attempts to provide security for the Colombian people and have provided the expansion of authorities in recognition that the narcotics industry is linked to the terrorist groups, including the paramilitary organizations, in Colombia. However, the managers still conclude that coca provides the revenue and a motive for the violence committed by both the guerrilla and paramilitary groups. Therefore, the managers expect counternarcotics, alternative development, and judicial reform to remain the principal focus of United States policy in Colombia. The expanded authority is not a signal from the managers for the United States to become more deeply involved in assisting the Colombian Armed Forces in fighting the terrorist groups, especially not at the expense of the counternarcotics programs, but to provide the means for more effective intelligence gathering and fusion, and to provide the flexibility to the Department of State when the distinction between counternarcotics and counterterrorism is not clear cut. The managers direct the Secretary of State to report to the Committees on Appropriations not later than 90 days after enactment of the changes in United States policy, including new procedures and operations, as a result of implementing the expanded authorities.

The conference agreement includes House language that provides that the expanded authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and human rights in areas under the effective control of paramilitary and guerrilla organizations. This provision is not included in the Senate amendment.

The managers note the requirement in the Act that the Secretary of State, in consultation with the Administrator of U.S. Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity. This report is similar to the report required in the fiscal year 2000 emergency supplemental appropriations act and is required again in fiscal year 2003 given the managers' disappointment in the level of pertinent information included in the Department of State's Congressional Budget Justification and congressional notifications.

Additionally, the conference agreement does not include Senate language making all funds under this heading subject to notification. The House bill did not include this language. The managers note that in section 520, all funds provided for Colombia are subject to notification.

The conference agreement continues current caps on the number of United States military personnel and United States civilian contractors in Colombia, as well as the current prohibition on participation by such persons in combat operations in connection with assistance made available by this Act.

The conference agreement again includes conditions on the aerial spraying of herbicide, similar to the Senate amendment, to ensure that any use of such chemicals is consistent with the Colombian Environmental Management Plan, with Environmental Protection Agency regulations, and to ensure that chemicals used in the aerial fumigation of coca do not pose unreasonable health or safety risks to humans or the environment. The managers intend and expect that every reasonable precaution will be taken in the aerial fumigation program to ensure that the exposure to humans and the environment in Colombia meets Environmental Protection Agency standards for comparable use in the United States.

Additionally, the managers direct the Secretary of State to submit a report to the Committees on Appropriations, not later than 90 days after enactment of this Act, describing (1) the steps the Department of State is taking to enhance environmental safeguards of the fumigation program, including implementing the recommendations of the Environmental Protection Agency in the fiscal year 2002 fumigation report; (2) the Department's plan to conduct an independent, long-term program to monitor the health and environmental effects of the fumigation program, including conducting soil and water tests in areas sprayed, toxicity tests on the spray formulation, and ground verification missions to evaluate over-spray; and (3) steps taken to implement environmental training programs for fumigation pilots.

The conference agreement includes the House language prohibiting funds for the resumption of flights in support of a Peruvian air interdiction program until a system of enhanced safeguards are in place. The Senate did not address this matter.

The conference agreement provides that not less than $5,000,000 from funds under this heading or under the heading ''Foreign Military Financing'' should be made available to support a Colombian Armed Forces unit dedicated to apprehending the leaders of paramilitary organizations. The Senate amendment included similar language but made the provision of funds mandatory. The House did not address this matter. The managers believe that the capture of these individuals, for which there are numerous outstanding arrest warrants, could contribute significantly to reducing atrocities against civilians by these terrorist organizations as well as enhancing public confidence in the Colombian Government's ability to protect public safety.

The conference agreement provides that not less than $1,500,000 should be made available for vehicles, equipment, and other assistance for the human rights unit of the Procurador General, instead of language proposed by the Senate that provides that not less than $2,000,000 shall be made available for such assistance. The House did not address this matter.

Additionally, the conference agreement provides that not less than $3,000,000 should be made available for software and training for the Colombian National Police. The Senate amendment included similar language but made the provision of funds mandatory. The House did not address this matter.

The conference agreement provides that not less than $3,500,000 shall be made available for the Colombian National Park Service. This language is identical to the provision in the Senate amendment. The House did not address this matter. The managers endorse Senate report language regarding this issue.

The managers endorse the language in the House report directing that the Department of State immediately terminate its interagency agreement with the Department of Justice and transfer remaining funds to the U.S. Agency for International Development for development, rule of law, and humanitarian assistance programs.

The conference agreement makes available $15,680,000 for administrative expenses of the Department of State as proposed by the House instead of $14,800,000 as proposed by the Senate.

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement appropriates $787,000,000 for Migration and Refugee Assistance as proposed by the Senate, instead of $800,000,000 as proposed by the House. The conference agreement makes available $16,565,000, for administrative expenses as proposed by the Senate instead of $16,000,000 as proposed in the House.

The conference agreement also includes language from the Senate amendment that provides not less than $60,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel. The House addressed this matter in the House report.

The conference agreement does not include Senate language providing that funds should be made available to international organizations for assistance for refugees from North Korea. However, the managers remain concerned with the plight of these refugees and expect that funding will be provided to safeguard the human rights and dignity of North

Korean refugees and asylum seekers. The managers also expect that funds will be made available for assistance for those Burmese exiles who have fled to Thailand. The managers strongly encourage the State Department to consult on an ongoing basis with the appropriate Thai authorities, including through the establishment of a working group, to determine how best to assist these exiles.

UNITED STATES EMERGENCY MIGRATION AND REFUGEE ASSISTANCE FUND

The conference agreement appropriates $26,000,000 for the U.S. Emergency Migration and Refugee Assistance Fund (ERMA), instead of $20,000,000 as proposed by the House and $32,000,000 as proposed by the Senate.

The conference agreement does not include language included in the Senate amendment that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962. Section 2(c)(2) would limit appropriated funds to this Fund if, when added, would cause the balance of the fund to exceed $100,000,000.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement appropriates $306,400,000 as proposed by the Senate instead of $347,400,000 as proposed by the House.

The managers intend that funds in this account be allocated as follows:

	($ in thousands)
Nonproliferation and Disarmament Fund	$15,000
Export control and border security assistance	36,000
Science Centers/BW redirection	52,000
International Atomic Energy Agency	52,900
CTBT Monitoring System	17,300
Korean Peninsula Economic Development Organization (KEDO) administrative expenses	5,000
Anti-terrorism assistance	64,200
Terrorist Interdiction Program	5,000
Demining	46,000
International Trust Fund for Demining	10,000
Small arms destruction	3,000
Total	306,400

The conference agreement includes a reduction of $900,000 from the budget request for the Comprehensive Nuclear Test Ban Treaty (CTBT) Preparatory Commission monitoring system based on revised information from the Department of State. The managers have been informed that the amount of $17,300,000 will fully fund the United States contribution to the CTBT Preparatory Commission for fiscal year 2003. The conference agreement does not contain House language requiring a report to the Committees on Appropriations 15 days prior to the obligation of funds for the Commission. Also, it does not contain Senate language mandating a specified level of funding for the Commission.

The conference agreement includes Senate language restricting the use of assistance for the Korean Peninsula Energy Development Organization (KEDO). The President is authorized to waive this restriction in section 562 to provide up to $5,000,000 for assistance for administrative expenses only. To the extent these funds are not programmed for KEDO, they should be reprogrammed for support for the International Atomic Energy Agency.

The conference agreement includes Senate language authorizing not to exceed $675,000 for administrative expenses associated with the demining program. The House bill did not address this matter. The conference agreement does not contain Senate language stating that $57,000,000 should be used for demining and related activities; however, the managers support $56,000,000 for these purposes, as identified above.

The conference agreement contains language similar to that of the Senate amendment that authorizes not to exceed $250,000 for the support of public-private partnerships for mine action by grant, cooperative agreement, or contract. The managers direct that the State Department provide a financial plan for the use of these funds to the Committees on Appropriations prior to the use of this authority. The House bill did not address this matter.

The conference agreement does not contain Senate language providing that $4,000,000 should be available to support the Small Arms Destruction Initiative; however, the managers support $3,000,000 for this purpose, as identified above.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides $10,800,000 for the International Affairs Technical Assistance program of the Department of the Treasury, instead of $11,000,000 as proposed by the House, and $10,500,000 as proposed by the Senate.

The managers support the efforts of the Department of the Treasury, International Affairs Technical Assistance, to assist nations in their efforts to reduce financial crimes and corruption by strengthening those governmental systems. The Department of the Treasury has been providing technical assistance for over a decade to nations facing economic disruption due to systemic weaknesses, post conflict crises, terrorist influences, or criminal practices. The managers urge the Department of the Treasury to continue its current technical assistance program and to strengthen its law enforcement program with additional resident and intermittent advisors. The Committee further directs the Department of the Treasury to manage its technical assistance program in accordance with its own policies and to report to the Committees on Appropriations in the House and Senate on the status of its efforts.

The managers endorse the language of the House report with respect to the International Affairs Technical Assistance program.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement does not include language proposed by the Senate that would have prohibited funds for travel or other purposes that do not directly expose the individual participants to government officials or institutions or to other individuals or organizations engaged in activities involving public policy. The House bill did not address this matter. The managers are aware that the Department of Defense is in the process of issuing revised guidance on the Information Program to address issues related to this provision. The managers request that the Department maintain its consultations with the Committees on this guidance.

The conference agreement provides that funding for Guatemala, Algeria and Nigeria shall be subject to the regular notification procedures of the Committees on Appropriations.

The managers expect that, consistent with the letter sent to the Congress by the Assistant Secretary of State for Legislative Affairs, the Committees on Appropriations will be consulted prior to the obligation of funds for an Indonesian IMET program.

The conference agreement does not include a Senate provision directing the Department of Defense to maintain a record of students that complete the IMET program for at least six years after graduation. The House bill did not address this matter. The managers note that the Office of Management and Budget has identified shortcomings in procedures to evaluate the performance of the IMET program. The managers have addressed this matter by including a general provision (section 581) requiring the Secretary of State to submit a report to the Committees on Appropriations which describes the progress being made in improving performance evaluation procedures for the IMET program and implementing section 548 of the Foreign Assistance Act.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conference agreement appropriates $4,072,000,000 as proposed by the Senate instead of $4,080,200,000 as proposed by the House.

The conference agreement includes Senate language providing for the early disbursement of funds for Israel (as well as certain funds for Egypt) within 30 days of enactment. The House bill included this language, along with language that provided for disbursement of funds for both countries by October 31, 2002, whichever was later.

The conference agreement does not include Senate language that would have provided not less than $198,000,000 for assistance for Jordan. The House bill did not address this matter. The managers note that these funds have already been obligated for assistance for Jordan.

The conference agreement does not contain language from the Senate amendment that would have mandated not less than $3,000,000 for Armenia. The managers expect the full IMET and FMF funding requests for Armenia will be provided in fiscal year 2003, and that a portion of the FMF funds should be used to enhance communications capabilities. The House bill did not address this matter.

The conference agreement provides that up to $93,000,000 of the funds appropriated under this heading may be transferred to ''Andean Counterdrug Initiative'' for helicopters, training and other assistance for the Columbian Armed Forces, rather than up to $88,000,000 as proposed by the Senate. The House bill would have authorized the transfer of up to $98,000,000 for this purpose to ''International Narcotics Control and Law Enforcement''.

The managers endorse Senate report language regarding the contents of the Foreign Military Training Report, including information on training activities by civilian contractors.

The managers endorse Senate report language regarding projects in the southern Philippines and increased Foreign Military Financing assistance to the Philippines.

PEACEKEEPING OPERATIONS

The conference agreement appropriates $115,000,000 instead of $120,250,000 as proposed by the Senate and $125,000,000 as proposed by the House.

The conference agreement does not include Senate language providing that $7,000,000 should be made available for Afghanistan. The House bill did not address this matter.

The conference agreement does not include Senate language providing that not less than $50,000,000 should be made available for Africa Regional Peacekeeping Operations and the Africa Crisis Response Initiative. The House bill did not address this matter. However, the managers are concerned that adequate funding be maintained for peacekeeping operations in Africa, and endorse

the House and Senate report language on this issue. The managers recommend up to $45,000,000 for such activities.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY (GEF)

The conference agreement appropriates $147,812,533 for the Global Environment Facility as proposed by the House instead of $177,812,533 as proposed by the Senate. The managers intend for $107,500,000 of this amount is for the scheduled United States contribution to the third replenishment of the GEF, and $40,312,533 for past payments due.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement appropriates $850,000,000 for the International Development Association (IDA), the concessional lending facility of the World Bank, instead of $874,338,333 as proposed by the House and $837,338,333 as proposed by the Senate. The managers intend that the appropriation be made available to fully provide for the first scheduled payment under the Untied States commitment to the thirteenth replenishment of IDA.

The managers have not included Senate language requiring the Secretary of the Treasury to accord a high priority in the next replenishment of IDA to provide new grant assistance to HIPC-eligible countries given that a grants agreement was included in the IDA–13 replenishment.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

The conference agreement appropriates $1,631,000 for paid-in capital for the Multilateral Investment Guarantee Agency (MIGA), the amount provided in the Senate amendment, instead of $1,630,696 as proposed by the House bill. The managers intend for the appropriation to be provided for past payments due by the United States to MIGA. Approval for a subscription to the appropriate amount of callable capital is also included in the conference agreement.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

The conference agreement appropriates $18,351,667 for a United States contribution to the Inter-American Investment Corporation as proposed by the Senate, instead of $30,351,667 as proposed by the House.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

The conference agreement appropriates $24,590,667 for past due payments by the United States to the Multilateral Investment Fund as proposed by the House, instead of $29,590,667 as proposed by the Senate.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides $97,886,133 for the United States contribution to the Asian Development Fund as proposed by the House, instead of $100,386,133 as proposed by the Senate.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement appropriates $108,073,333 for the African Development Fund as proposed by the Senate, instead of $113,073,333 as proposed by the House.

CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

The managers endorse Senate report language regarding the European Bank for Reconstruction and Development.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides $195,150,000 for voluntary contributions to International Organizations and Programs instead of $190,400,000 as proposed by the House and $215,000,000 as proposed by Senate.

The managers have provided $11,000,000 for the United Nations Environment Program (UNEP), an increase of $250,000 over the fiscal year 2002 level. The managers recognize UNEP's role in addressing global environmental problems, and believe United States support for UNEP is necessary to achieve important U.S. environmental objectives. However, the managers are very concerned that UNEP's inefficient governing process impedes its effectiveness and must be reformed, if UNEP is to continue to receive significant U.S. support in meeting the world's increasingly complex environmental challenges.

The conference agreement retains Senate language which provides $500,000 for a contribution to the International Coffee Organization (ICO) if the United States rejoins the ICO by June 1, 2003. The House bill did not address this matter. The conference agreement also provides that these funds should be made available for a contribution to the United Nations Center for Human Settlements (UNHABITAT), if the United States does not rejoin the ICO by this date. These funds are to be in addition to other funds made available for UNHABITAT under this heading. The Senate bill provided $1,000,000 for UNHABITAT. The House did not address this matter.

The managers do not have a position on rejoining the ICO but urge the administration to consult with the Committees on Appropriations in the House and Senate concerning a decision on ICO membership.

The managers support the efforts of UNHABITAT to improve the lives of destitute slum dwellers in developing countries. The managers note that UNHABITAT has recently been revitalized through a successful restructuring that has met United States Government criteria for reform.

The managers intend that funds in this account be allocated as follows:

($ in thousands)

UN Fund for Tech. Cooperation in Human Rights	$ 1,500
UN Voluntary Fund for Victims of Torture	5,250
OAS Fund for Strengthening Democracy	3,500
UNDP	100,000
UNIFEM	1,000
OAS Development Assistance	5,500
WTO	2,000
ICAO Aviation Programs	300
UNEP	11,000
Montreal Protocol	23,000
International Conservation Programs (CITES/ITTO/IUCN/Ramsar/CCD)	6,500
IPCC/UNFCCC	6,000
International Contributions for Scientific Educational & Cultural Activities	1,850
World Meteorological Organization	2,000
International Coffee Organization	500
UN Center for Human Settlements	250
Reserve to be allocated	25,000
Total	195,150

TITLE V—GENERAL PROVISIONS

(NOTE: If House and Senate language is identical except for a different section number or minor technical differences, the section is not discussed in the Statement of Managers.)

Sec. 503. Limitation on Residence Expenses

The conference agreement sets a limitation of $100,500 for USAID official residence expenses as proposed by the Senate, instead of $126,500 as proposed by the House.

Sec. 505. Limitation on Representational Allowances

The conference agreement sets a limitation of $125,000 on representation allowances from funds appropriated for USAID as proposed by the Senate, instead of $95,000 as proposed by the House.

Sec. 507. Prohibition Against Direct Funding for Certain Countries

The conference agreement includes language similar to that included in the Senate amendment regarding assistance for Iraq. The House bill did not include such a provision.

The conference agreement provides that assistance or other financing under this Act or under prior foreign operations, export financing, and related programs appropriations Acts may be provided for humanitarian and relief assistance for Iraq notwithstanding the provisions of this section or any other provision of law, including comparable provisions contained in prior foreign operations, export financing, and related programs appropriations Acts, if the President determines that the provision of assistance or other financing for Iraq is important to the national security interests of the United States. Such assistance or financing would be subject to the regular notification procedures of the Committees on Appropriations, except that notifications shall be transmitted at least 5 days in advance of obligations of funds. In addition, the conference report requires the President to report to the Committees on Appropriations on the status of the allocation, obligation and expenditure of made available for Iraq funds not later than every 60 days during fiscal year 2003, beginning on March 1, 2003. Each report shall include information on programs, projects, and activities that are being funded or will be funded with such assistance or financing, and the departments and agencies responsible for managing each such program, project, and activity. The authority to provide assistance for Iraq will expire on the date of enactment of the first subsequent supplemental appropriations Act for fiscal year 2003 that contains supplemental funding for appropriations accounts contained in this Act.

It is the intention of the managers that this authority not be used inside Iraq, except for assessments of humanitarian and relief needs by private or nongovernmental organizations, prior to any military action against Iraq or, in the absence of such action, prior to a change of regime in Iraq. The limitation of the waiver to humanitarian and relief assistance is not intended to preclude assistance for the promotion of democracy or governance if the goal of such assistance is the maintenance of social services and public order. The managers expect that funds drawn from accounts in this Act under this waiver will be promptly reimbursed through supplemental funding.

Sec. 509. Transfers Between Accounts

The conference report includes House language on this matter. The new provisions of this section would prohibit transfers to any department, agency, or instrumentality of the United States unless specifically authorized in this Act, except for certain transfers authorized by provisions of the Foreign Assistance Act. The managers note that a limit on transfers from the Child Survival and Health Programs Fund is included under that heading. In addition, transfers under section 632(a) of the Foreign Assistance Act shall expressly provide that the Inspector General for the agency receiving the transfer shall perform periodic program and financial

audits, and allows for the cost of such audits to be covered by the transfer.

Sec. 512. Countries in Default

The conference agreement includes House language that prohibits assistance to the government of any country in default on U.S. bilateral loans. The Senate amendment included less restrictive provisions. This matter is addressed in the Statement of the Managers under the heading ''Export-Import Bank''.

Sec. 515. Notification Requirements

The conference agreement reflects a technical change proposed by the House to include ''Capital Investment Fund'' in the list of accounts that are subject to notification pursuant to this section. The Senate did not address this matter.

Sec. 520. Special Notification Requirements

The conference agreement adds ''Serbia'' as proposed in the Senate amendment to the list of countries subject to the special notification procedures of this section, but does not include ''Haiti'' and ''Nigeria'' as recommended by the Senate. The managers note that IMET assistance for Nigeria is subject to notification under a provision in title III of this Act.

Sec. 521. Definition of Program, Project and Activity

The conference agreement restates current law regarding the definition of program, project and activity, instead of Senate language limiting the definition.

Sec. 522. Child Survival and Health Activities

The conference agreement authorizes USAID to use up to $13,500,000 from the ''Child Survival and Health Programs Fund'' and up to $3,500,000 from ''Development Assistance'' for technical experts from other government agencies, universities, and other institutions. The managers have decreased this authority in order to accelerate the shift to USAID direct hire personnel of responsibility for implementation and oversight of USAID's expanded infectious disease and basic education activities.

The conference agreement provides that not less than $446,500,000, as in current law, shall be made available for reproductive health/family planning activities from funds appropriated by this Act, including $368,500,000 from the Child Survival and Health Programs Fund, $15,000,000 from Assistance to the Independent States of the Former Soviet Union, and $63,000,000 from other accounts such as the Economic Support Fund, International Disaster Assistance, Assistance to Eastern Europe and the Baltic States, and Migration and Refugee Assistance.

Sec. 523. Afghanistan

The conference agreement provides that not less than $295,500,000 of the funds appropriated by title II shall be made available for humanitarian and reconstruction assistance for Afghanistan, as proposed by the House. The Senate amendment proposed not less than $213,000,000 for Afghanistan from titles II and III. Of this amount, not less than $5,000,000 is for activities supported by the Afghan Ministry of Women's Affairs including multi-service women's resource centers in Afghanistan.

The managers intend that funds provided under this section be allocated as follows:

($ in thousands)

Child Survival and Health Programs Fund	50,000
Development Assistance	40,500
International Disaster Assistance	85,000
Transition Initiatives	10,000
Economic Support Fund	50,000
Nonproliferation, Anti-terrorism, etc (NADR)	5,000
USAID Operating Expenses	[9,350]
USAID IG Operating Expenses	[500]
Migration and Refugee Assistance	55,000
Total	295,500

The conference agreement does not include a Senate provision that not less than $1,500,000 should be made available for the National Human Rights Commission of Afghanistan. However, the managers recognize the critical need for timely and credible investigations of the full range of human rights violations in Afghanistan and expect USAID to continue to support the Commission.

The conference agreement does not include Senate language requiring a report by the Secretary of State that details women's development programs in Afghanistan supported by the United States Government, and barriers that impede women's development in Afghanistan. However, the managers request the Secretary to submit such a report, not later than 90 days after enactment of this Act, including proposed United States assistance programs and activities to overcome such barriers.

Sec. 525. Authorization Requiremen

The conference agreement includes language that provides that funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956, as provided in the House bill and the Senate amendment. It includes House language exempting the account ''Peace Corps'' and Senate language exempting the accounts ''Trade and Development Agency,'' ''Migration and Refugee Assistance'', ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', ''International Military Education and Training'' and ''Foreign Military Financing Program'' from these waivers.

Sec. 526. Democracy Programs

The conference agreement contains language in subsection (a) that provides not less than $15,000,000 shall be made available for activities to support democracy, human rights, and the rule of law in the People's Republic of China, Hong Kong, and Tibet. Of these funds, not less than $9,000,000 shall be provided through the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State and not less than $3,000,000 shall be provided through the National Endowment for Democracy. In addition, subsection (a) authorizes funding of not to exceed $3,000,000 for nongovernmental organizations to support activities that preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in Tibetan communities in China. In addition, funds should be made available for Taiwan for the purposes of furthering political and legal reforms to the extent that they are matched from sources other than the United States Government. In addition, the conference report provides not less than $15,000,000 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. Not less than $3,000,000 of these funds should be made available for programs and activities that provide professional training for journalists. Of the funds for Muslim countries, not less than $7,000,000 shall be provided through the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State and not less than $5,000,000 shall be provided through the National Endowment for Democracy. In addition, funds are authorized for the advancement of democracy and human rights in Iran.

Funds provided in this section for the Human Rights and Democracy Fund are in addition to the $12,000,000 budget request for said Fund in fiscal year 2003. In addition, the conference agreement includes language requiring a report from the Secretary of State with 120 days of enactment on the allocation, obligation, and expenditure of funds made available for the National Endowment for Democracy. The Senate amendment would have required the obligation and disbursement of such funds within 90 days of enactment of this Act.

Of the $12,000,000 in base funds for the Human Rights and Democracy Fund, the managers direct that $1,000,000 be provided (within 120 days of enactment) for the Reagan/Fascell Program, and $250,000 be provided for the North Korean human rights and democracy program as identified in the Senate amendment under ''Economic Support Fund''.

All funds provided under this section are subject to the regular notification procedures of the Committees on Appropriations.

Sec. 527. Prohibition on Bilateral Assistance to Terrorist Countries

The conference agreement includes House language on this matter, which prohibits funds to any country that the President determines is supporting terrorism. The Senate amendment would have prohibited funds to the government of any such country.

Sec. 528. Debt for Development

The conference agreement includes House language on this matter. The Senate amendment would have authorized the use of appropriated funds for endowments.

Sec. 533. Impact on Jobs in the United States

The conference agreement modifies the scope of this section with respect to internationally recognized worker rights as described in section 507 of the Trade Act of 1974, as contained in the Senate amendment. The House bill did not address this matter.

Sec. 534. Special Authorities

The conference agreement includes House language providing certain authority for assistance for Lebanon and Montenegro, and Senate language on authority for assistance for Afghanistan, assistance to victims of trafficking, and assistance to combat trafficking. The conference agreement does not include House language, not in the Senate amendment, that would have authorized assistance for Cambodia under section 541 of the Foreign Assistance Act notwithstanding certain other restrictions contained in this Act. In addition, it does not contain language from the Senate amendment, not in the House bill, that would subject assistance for Cambodia to the provisions of section 531(e) of the FAA and section 906 of the International Security and Development Cooperation Act of 1985. Those provisions have the effect of permanent law, and the Senate language is therefore unnecessary.

The managers have reduced current authority for certain bureaus and offices in USAID to hire personal service contractors, continued existing authority for USAID to provide support for administrative costs of a program to provide information regarding available donated space on commercial ships to organizations shipping humanitarian assistance, and provides for expanded authorities under section 660(b)(6) of the Foreign Assistance Act of 1961.

The conference agreement includes Senate language deleting a requirement that the Secretary of the Treasury provide certain annual reports. The House did not address this matter.

Sec. 535. Arab League Boycott of Israel

The conference report includes Senate language on this matter, except that the ''Sense of the Congress'' rather than the ''Sense of the Senate'' is invoked. Among other things, the language calls upon the Arab League states to normalize relations (including the reinstatement of ambassadors by the three Arab League nations with relations with Israel) with Israel. The House bill contained current law on this matter.

Sec. 537. Eligibility for Assistance

The conference agreement consolidates current language regarding assistance to non-governmental organizations in certain countries as proposed by the Senate. The House bill did not change current law.

Sec. 543. Prohibition on Assistance to Foreign Governments that Export Lethal Military Equipment to Countries Supporting International Terrorism

The conference agreement reflects the House language that includes a technical correction not included in the Senate amendment.

Sec. 544. Withholding of Assistance for Parking Fines Owed by Foreign Countries

The conference agreement allows 110 percent of the total amount of unpaid parking fines determined to be owed by foreign countries to the District of Columbia and New York City, New York, to be withheld from obligation for assistance to such country, as proposed by the Senate. The language is similar to that proposed by the House.

Sec. 546. War Crimes Tribunals Drawdown

The conference agreement includes House and Senate language authorizing up to $30,000,000 in drawdowns of commodities or services for war crimes tribunals. The conference agreement includes House language that specifies that any drawdown made under this section shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court. The Senate amendment did not address this matter.

Sec. 549. Prohibition of Payment of Certain Expenses

The conference agreement includes Senate language, not in the House bill, that adds theatrical and musical productions to the list of activities prohibited under this section.

Sec. 550. Restrictions on Voluntary Contributions to United Nations Agencies

The conference agreement is similar to the House bill but deletes the certification requirement. The Senate did not address this matter.

Sec. 551. Caribbean Basin

The conference agreement makes certain purchases of defense articles and services available to the Haitian Coast Guard but does not include House language, not in the Senate amendment, requiring that such transfers be subject to notification.

The conference agreement provides that not less than $52,500,000 should be allocated for assistance to Haiti from funds in title II of this Act and food assistance fund managed by USAID. This provision is identical to language in the House bill and was not included in the Senate amendment.

Additionally, the conference agreement includes identical language as included in the House bill that provides that out of funds in title II of this Act, $37,680,000 should be allocated for Nicaragua and $40,130,000 should be allocated for Honduras. The Senate did not address this matter.

Sec. 554. Protection of Biodiversity Tropical and Forests

The conference agreement includes language directing that USAID should make available $145,000,000 for programs and activities that directly protect biodiversity. The managers strongly support these efforts and expect these funds to be used to protect tropical forests, including support of projects to deter illegal logging in Indonesia, Central Africa and elsewhere, and other threatened biologically diverse areas, both terrestrial and marine. Of this amount, up to $40,000,000 may be available for the subsidy cost of modifying loans and loan guarantees, pursuant to the provisions of the Tropical Forest Conservation Act of 1998. The managers commend the Administration for its Congo Basin Forest Initiative and expect full funding to be made available for the Central African Regional Program for the Environment.

Sec. 555. Energy Conservation, Energy Efficiency and Clean Energy Programs

The managers support programs that conserve energy and promote clean and efficient energy production and distribution in developing countries. The conference agreement provides that $175,000,000 should be made available for these programs.

This section also requires the Executive Office of the President to submit an updated and revised annual government-wide report on federal activities and costs relating to climate change and greenhouse gas emissions. The House bill did not address this matter.

Sec. 556. Zimbabwe.

The conference agreement is the same as current law and is identical to the Senate amendment. The House did not address this matter.

Sec. 557. Nigeria.

The conference agreement includes language similar to that of the Senate amendment that restricts the use of IMET and FMF for Nigeria until the President certifies to the Committee on Appropriations that certain specified Nigerian officials are suspending from the Armed Forces those members, of whatever rank, against whom there is credible evidence of gross violations of human rights in Benue State in October 2001, and the Government of Nigeria and the Nigerian Armed Forces are taking effective measures to bring such individuals to justice. The President may waive such prohibition if he determines that doing so is in the national security interest of the United States. Prior to exercising such waiver authority, the President is required to submit a report to the Committees on Appropriations describing the involvement of the Nigerian Armed Forces in the incident in Benue State, the measures that are being taken to bring such individuals to justice, and whether any Nigerian Armed Forces units involved with the incident in Benue State are receiving United States assistance. The managers expect the Department of State will consult with the Committees on Appropriations on the form the report will take.

Sec. 558. Burma.

The conference agreement includes a modified version of the Senate's provision on the use of the Economic Support Fund in Burma and along the Burma-Thailand border, and, in addition, a House provision, similar to language in prior year Acts, regarding independent media activities promoting democracy inside Burma.

The managers deplore the failure of Burma's State Peace and Development Council (SPDC) to resume dialogue with Daw Aung San Suu Kyi and the National League for Democracy, and urge the immediate release of all prisoners of conscience in Burma. The managers continue to expect that United States Government programs and activities conducted inside Burma, including HIV/AIDS programs, will be carried out in consultation with the leadership of the National League for Democracy.

The managers note the systematic abuse of human rights by the SPDC, especially in campaigns of violence against Burmese minorities, including rape of girls and women and forced evacuations of villages. These campaigns have displaced an estimated one million persons inside of Burma and an equal number in neighboring countries.

In order to expand the provision of health services to displaced Burmese, including those who live in appalling conditions outside of refugee camps in Thailand, the managers expect that $1,000,000 will be provided to continue to support efforts to combat HIV/AIDS inside of Burma, and that not less than $1,000,000 will be provided to support efforts to limit malaria and infectious diseases among Burmese along the Burma-Thailand border. These funds are to be made available under the heading ''Child Survival and Health Programs Fund'' in this Act, and are in addition to the amounts provided under this section.

The managers request that within 120 days of enactment of the Act, the Administrator of USAID, in consultation with the Department of State, provide a report to the Committees on Appropriations that describes the estimated number and condition of displaced persons inside Burma and Burmese refugees, exiles, or migrant workers in Thailand and proposes steps that the United States Government could take, working with other donors and not providing direct support to the SPDC, to address the root causes of this crisis and to better provide for the humanitarian needs of displaced Burmese.

The managers recommend that up to $500,000 be made available to support a new initiative inside Burma that utilizes the expertise of the leadership of the National League for Democracy (NLD) in determining and addressing the urgent needs of the people of Burma. The managers recommend that the State Department consult with the NLD on the development of this initiative, and request to be regularly updated on its progress.

Sec. 560. Cambodia.

The conference agreement includes House language providing that the Secretary of the Treasury should instruct U.S. executive directors of international financial institutions to oppose loans to the Central Government of Cambodia, except loans to support basic human needs. The Senate amendment would have mandated such instructions. In subsection (b), the conference agreement contains language similar to that of the Senate amendment that prohibits assistance for the Central Government of Cambodia, except that this provision does not apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, and for the Ministry of Women and Veterans Affairs to combat human trafficking, and for certain assistance provided through nongovernmental organizations. The House bill restricted assistance except for basic education and assistance provided under ''Child Survival and Health Programs Fund''.

In subsection (c), the conference agreement provides that up to $5,000,000 may be made available, notwithstanding the above restriction, for activities to support democracy, including democratic political parties in Cambodia. In subsection (d), the conference agreement provides that $3,750,000 of

the funds made available in this Act shall be made available, notwithstanding the above restriction, as a contribution for an endowment to sustain rehabilitation programs for Cambodians suffering from physical disabilities that are administered by an American nongovernmental organization that is directly supported by USAID. 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. The managers endorse the Senate report language regarding this issue. The House bill did not address these matters.

The managers condemn the recent riots in Cambodia, and are concerned with the Cambodian Government's failure to protect foreign embassies and foreign-owned businesses in Phnom Penh. The managers note that in a statement issued on February 6, 2003, the State Department stated that the United States was ''particularly concerned by indications that the government is using the situation to target the political opposition and independent media''. The managers request that within 60 days of enactment of this Act, the Secretary of State report to the Committees on Appropriations on the complicity of the Cambodian Government in the riots (including an explanation of the failure of Cambodian authorities to respond to the riots in a timely and effective manner), and steps taken by the governments of Thailand and Cambodia to credibly investigate the riots. The managers encourage the administration to continue to forcefully and publicly condemn election-related violence and intimidation in the run up to the July parliamentary elections.

Sec. 562. Korean Peninsula Energy Development Organization

The conference agreement includes language similar to that of the Senate amendment that prohibits funding for the Korean Peninsula Energy Development Organization (KEDO), except for up to $5,000,000 for administrative expenses if the President determines that it is vital to the national security interests of the United States. Such funding is subject to notification. The House bill would have limited funding for KEDO to $50,000,000 only for administrative expenses and heavy fuel oil costs associated with the Agreed Framework. In addition, the House bill required several certifications by the President prior to the obligation of funding for KEDO.

Section 563. Palestinian Statehood

The conference agreement includes House language that prohibits funding to support a Palestinian state unless the Secretary of State makes certain determinations, including: a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections; the elected governing entity has demonstrated a firm commitment to peaceful coexistence with Israel; is taking appropriate measures to counter terrorism; and is establishing a new Palestinian security entity that is fully cooperative with appropriate Israeli and other appropriate security organizations; and the Palestinian Authority or its successor is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East, including normal relations between Israel and an independent Palestinian state in a number of areas. It also expresses the sense of the Congress that the newly elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, respect for human rights, and other laws and regulations assuring transparent and accountable governance. This section also includes a waiver of the restrictions herein based on national security interests of the United States, and exempts assistance to the Palestinian Authority and affiliated institutions, or a newly elected governing entity, in order to help meet the requirements of this section, consistent with the provisions of section 552 of this Act. The Senate amendment contained language similar to the House bill on this matter.

Section 564. Colombia

The conference agreement includes a modified version of the House and Senate provisions on conditioning funds for Colombian Armed Forces.

Sec. 567. Iraq

The conference agreement includes language similar to that in the House bill, which provides that funds from the Economic Support Fund may be made available for programs benefiting the Iraqi people and to support efforts to bring about political transition in Iraq. The conference agreement also includes language that provides that none of the funds made available pursuant to the authorities provided in this section may be made available to any organization to reimburse or pay for costs incurred by such organization in prior fiscal years. Funds would be subject to the regular notification procedures of the Committees on Appropriations.

Sec. 568. West Bank and Gaza Program

The conference report includes House language on this matter. It contains prior year language (also in the Senate amendment) requiring the Comptroller General of the United States to certify that procedures have been established to assure access to appropriate financial information in order to review the uses of funds provided for the West Bank and Gaza Program of the Economic Support Fund. In addition, the language requires the Secretary of State to take all appropriate steps to ensure that assistance is not provided to entities or individuals that advocate, plan, sponsor, engage in, or have engaged in, terrorist activity. Finally, the language requires annual audits of all contractors and grantees, and significant subcontractors and subgrantees. Up to $1,000,000 is authorized to be made available to the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of this provision.

Sec. 569. Indonesia

The conference agreement includes language similar to that of the Senate amendment on this matter. It would allow assistance for Indonesia appropriated under ''Foreign Military Financing Program'' and licenses for export of lethal defense articles for the Indonesian military only if the President certifies that the Government of Indonesia and the Indonesian Armed Forces are taking certain measures, including suspending from the Armed Forces those members, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, or aided or abetted militia groups, as well as prosecuting those members and punishing them, if they have been found to have committed such acts. In addition, the language requires the President to certify that 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. Finally, the language requires the President to certify that the Minister of Defense is making publicly available audits of receipts and expenditures of the Indonesian Armed Forces. The House bill included similar language, but did not address the issue of export licenses for lethal defense articles.

Sec. 570. Restrictions on Assistance to Governments Destabilizing Sierra Leone

The conference agreement includes a provision identical to the House bill that prohibits assistance to any government for which the Secretary of State has 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. The language is similar to the Senate amendment.

Sec. 572. Contributions to the United Nations Population Fund

The managers note that $34,000,000 appropriated for the United Nations Population Fund (UNFPA) in P.L. 107–115 has not been obligated due to a determination by the Secretary of State in July 2002 that UNFPA's program in the People's Republic of China was in violation of the Kemp-Kasten amendment. The conference agreement provides that these prior year funds, and an equivalent amount from this Act, shall be made available to UNFPA if the President determines that UNFPA is no longer in violation of the Kemp-Kasten amendment. The conference agreement also contains a prohibition on the use of United States funds in China as well as all other restrictions in current law.

Sec. 573. Procurement and Financial Management Reform

The conference agreement includes House language withholding 10 percent of the funds made available for international financial institutions until the Secretary of the Treasury certifies that a number of procurement and financial management reforms are being implemented. The Senate did not address this matter.

Sec. 574. Central Asia

The conference agreement includes the identical provision included in the Senate amendment that conditions the assistance to the Government of Uzbekistan unless the Secretary of State determines and reports that the Government of Uzbekistan is making progress and meeting commitments of the Declaration of Strategic Partnership. The House addressed this matter in title II.

The conference agreement includes a provision similar to the Senate provision related to human rights and democracy in Central Asia, but adds a national security interest waiver for the Secretary of State with regard to assistance for Kazakhstan. The managers urge the Secretary to pursue an agreement with the Government of Kazakhstan similar to the Declaration on the Strategic Partnership and Cooperation Framework signed by the United States and the Government of Uzbekistan addressing democracy, human rights and other matters of mutual interest.

The conference agreement contains a provision similar to the Senate amendment requiring the Secretary of State to submit periodic reports on the provision of defense articles and financial assistance to the countries of Central Asia. The House did not address this matter.

Sec. 576. War Criminals

The conference agreement contains language similar to that in both the House bill and Senate amendment regarding war criminals in the Balkans.

Sec. 577. User Fees

The conference agreement includes the Senate language that expands the current law restriction requiring the Secretary of Treasury to instruct the U.S. Executive Directors to oppose any loan, grant strategy or policy that would require user fees on poor people for primary education or healthcare

in connection with the institutions' financing programs. The House provision reflected current law.

Sec. 578. Funding for Serbia

The conference agreement contains current law on this matter, except that the provisions of this section affect assistance for Serbia after June 15 of this year, rather than after March 30 as in the fiscal year 2002 appropriations Act. In addition, technical modifications have been inserted to refer to a successor state to the Federal Republic of Yugoslavia (FRY).

The House bill would have applied the provisions of this section to assistance for the governments of Serbia and the FRY. The Senate bill would have imposed certain additional requirements on the FRY beyond those in current law.

Sec. 579. Prohibition on Taxation of United States Assistance

The conference agreement contains language similar to that of the House bill that provides that none of the funds appropriated in this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that commodities purchased with assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement. The language also requires that, of the funds appropriated by this Act that are allocated for assistance for a foreign country and for the West Bank and Gaza Program, an amount equivalent to 200 percent of the total taxes assessed during fiscal year 2003 against United States assistance programs by a foreign government or entity, either directly or through grantees, contractors and subcontractors, shall be withheld from assistance for such country or entity in fiscal year 2004 to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States. Foreign taxes of a de minimis nature are not subject to these reimbursement provisions. Of the funds withheld from obligation for each country or entity pursuant to this section, one-half may become available for reprogramming for other purposes (pursuant to section 515 of this Act and consistent with the purposes for which such funds were originally appropriated) and one-half shall be deposited in the General Fund of the Treasury on, or within 5 days after, September 1, 2004. The language also requires the Secretary of State to issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section. The Senate amendment did not address this matter.

Sec. 580. GAO Report

The conference report contains language similar to that of the House bill that requires a report from the Comptroller General to the Committees on Appropriations no later than November 1, 2003, on the extent to which the Department of State is complying with section 301(c) of the Foreign Assistance Act and on the implementation of procedures that have been established to meet the standards of the Department of State regarding compliance with the requirements of said section. This audit shall review the implementation of procedures by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) regarding this provision of law. The conference agreement does not include language from the House requiring a report from the Secretary of State on this matter, but the managers are agreed that the Secretary shall comply with the requirements of the House bill in this regard.

Sec. 582. Community-Based Police Assistance

The conference agreement includes language similar to the Senate language authorizing use of certain USAID-administered funds in title II of this Act for support for civilian police in Jamaica and El Salvador, but not Indonesia as included in the Senate amendment, notwithstanding section 660 of the Foreign Assistance Act. The House did not address this matter.

Sec. 583. Overseas Private Investment Corporation and Export-Import Bank Restrictions

The conference agreement includes a provision identical to the Senate amendment and current law and prohibits the use of funds by OPIC and Export-Import Bank from financing investments in connection with a project involving the mining, polishing or other processing, or sale of diamonds in a country that fails to implement the recommendations, obligations and requirements developed by the Kimberley Process or taking measures that the Secretary of State determines to contribute effectively to preventing and eliminating the trade in conflict diamonds.

Sec. 584. Trade Capacity Building

The conference agreement includes a provision identical to the House bill that provides that not less than $452,000,000 should be made available for trade capacity building assistance from the Trade and Development Agency, Development Assistance, Transition Initiatives, ESF, International Affairs Technical Assistance, and International Organizations and Programs accounts. The Senate did not address this matter.

Sec. 585. Transparency and Accountability

The conference agreement includes Senate language requiring the Secretary of State to submit a report concerning the public disclosure of revenues from extractive industries and other sources by governments of countries that receive United States assistance. The House did not address this matter. The managers endorse the Senate report language regarding this issue.

Sec. 586. American Churchwomen and Other Citizens in El Salvador and Guatemala

The conference agreement contains Senate language on this matter. The House bill contained similar language.

PROVISIONS NOT ADOPTED BY THE CONFEREES:

The conference agreement does not include section 549 of the Senate amendment regarding ''Tibet'' urging U.S. Executive Directors to International Financial Institutions to support certain types of projects in Tibet. The House bill did not address a similar provision. The managers are aware of concerns raised by the Department of the Treasury about this provision, however, the managers strongly support the intent of this provision and expect to be consulted prior to votes in the International Financial Institutions on projects in Tibet.

The conference report does not include section 554 of the House bill regarding ''Discrimination Against Minority Religious Faiths in the Russian Federation.'' The Senate did not include this provision.

The conference report does not include section 555 of the House bill regarding ''Assistance for the Middle East.'' The Senate amendment did not address this matter.

The conference report does not include section 565 of the House bill regarding ''Briefings on Potential Purchases of Defense Articles or Defense Services by Taiwan.'' The Senate did not address this matter. This matter is addressed in permanent law.

The conference report does not include section 578 of the Senate bill regarding ''Excess Defense Articles for Central and Southern European Countries and Certain Other Countries.'' The House did not address this matter. These authorities already exist for fiscal year 2003.

The conference report does not include section 579 of the House bill ''Tropical Forest Conservation.'' The text of this provision is included in section 554 ''Protection of Biodiversity and Tropical Forests.''

The conference report does not include section 580 of the House bill regarding ''Authorizations''. The Senate amendment did not address this matter.

The conference report does not include section 581 of the House bill and section 580 of the Senate amendment regarding Cuba.

The conference agreement does not include section 583 of the Senate amendment regarding ''Regional Democracy Programs for East Asia and the Pacific.'' The House did not address this matter.

The conference agreement does not include section 585 of the Senate amendment extending the prohibition of oil and gas drilling in the Great Lakes of the United States. The House bill did not address this matter.

The conference agreement does not include section 586 of the Senate amendment regarding the ''Sense of the Senate with Respect to North Korea''. The House did not address this matter.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

New budget (obligational) authority, fiscal year 2002	$16,586,780
Budget estimates of new (obligational) authority, fiscal year 2003	16,492,896
House bill, fiscal year 2003	16,594,574
Senate bill, fiscal year 2003	16,474,739
Conference agreement, fiscal year 2003	16,345,186
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−241,594
Budget estimates of new (obligational) authority, fiscal year 2003	−147,710
House bill, fiscal year 2003	−249,388
Senate bill, fiscal year 2003	−129,553

DIVISION F

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS

The conference agreement on the Interior and Related Agencies Appropriations Act, 2003, incorporates some of the provisions of H.R. 5093 as passed by the House of Representatives on July 18, 2002, and the Senate version of H.J. Res. 2 (Division F and Division N) as passed by the Senate on January 23, 2003. Report language and allocations set forth in either House Report 107–564 or the Senate report language published in the Congressional Record of January 15, 2003, that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

No funds in this Act are derived from the Conservation Spending Category established

in the Department of the Interior and Related Agencies Appropriations Act, 2001. However, the programs previously funded under this category are, for the most part, continued in fiscal year 2003.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The conference agreement provides $825,712,000 for management of lands and resources instead of $826,932,000 as proposed by the House and $816,062,000 as proposed by the Senate.

Increases above the House for land resources include $1,000,000 for noxious weeds for the Montana State University weed program, $500,000 for Idaho weed control, and a decrease of $500,000 for range monitoring.

There is a decrease below the House for wildlife and fisheries of $500,000 for fisheries management.

There is a decrease below the House for threatened and endangered species of $87,000 for travel.

Increases above the House for recreation management include $1,000,000 for Missouri River undaunted stewardship, $400,000 for Colorado Canyons, and decreases of $250,000 for recreation access, and $302,000 for conversion of certain lands to fee sites.

The managers do not concur with the House proposal concerning funding for the energy and minerals program. Funding for this program shall be at the level proposed for activities in the request but with the following modifications. An increase of $750,000 for permitting of geothermal energy applications and wind energy rights-of-way in Nevada, $1,000,000 for applications for permits to drill, principally in the Powder River Basin, and $272,000 for the Alaska minerals program.

Increases above the House for realty and ownership management include $2,000,000 for Alaska conveyance, $1,100,000 for the cadastral survey program, of which $750,000 is for continuation of the public lands database in AK, $350,000 is for the State of Utah Automated Geographic Reference Center, and $750,000 is for additional Nevada personnel.

The managers have modified the Senate language concerning the Alaska conveyance program. The managers expect the Bureau to develop a plan to complete work on all allotment applications and all land selections under the Alaska Native Claims Settlement Act of 1971 and the Alaska Statehood Act of 1959 by 2009, 50 years after its enactment and nearly 40 years after the deadline for applying for Native allotments.

Increases above the House for resources protection and maintenance include $500,000 for the Alaska resources library and decreases of $200,000 for desert rangers, and $300,000 for the restoration of lands in Arizona.

Increases above the House for transportation and facilities maintenance include $250,000 for the Iditarod National Historic Trail, $1,000,000 for capping oil wells in National Petroleum Reserve Alaska and decreases of $200,000 for California Desert communications, and $2,000,000 for fish passage improvements.

There is a decrease below the House for land and resources information of $403,000.

There is a decrease below the House for challenge cost share of $5,000,000. The conference agreement includes an increase of $5,000,000 in the challenge cost share program for the Cooperative Conservation Initiative.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $654,406,000 for wildland fire management instead of $855,332,000 as proposed by the House and $654,254,000 as proposed by the Senate.

Decreases below the House for preparedness include $826,000 for travel and $600,000 for fire employment duration.

There is an increase above the House for other operations of $500,000 for the University of Montana fire program.

There is a decrease below the House of $200,000,000, which had been proposed as a fiscal year 2002 emergency supplemental appropriation. The managers note that in lieu of these funds the Department has been provided $189,000,000 for fire reimbursement elsewhere in the bill.

The managers note that the Department of the Interior and the Department of Agriculture have begun full implementation of the 10–Year Comprehensive Strategy to reduce wildland fire risks. This strategy involves extensive collaboration with communities in the selection of hazardous fuels projects. In support of the strategy, the Departments have developed detailed criteria for the execution of such hazardous fuels reduction efforts. The managers feel that collaboration with communities and the use of criteria for project selection provide a suitable basis for planning the expenditure of funds, and accordingly do not concur with Senate report language requiring that seventy percent of hazardous fuels funds be used in the wildland urban interface.

Because of the managers continuing concern about fire suppression costs during major incidents, the Forest Service and the Department of the Interior are directed to contract with the National Academy of Public Administration for appropriate follow-up work to their study of 2002. The Departments should equally share the cost of the review and the review should be conducted forthwith.

CENTRAL HAZARDOUS MATERIALS FUND

The conference agreement provides $9,978,000 for the central hazardous materials fund as proposed by the House and Senate.

CONSTRUCTION

The conference agreement provides $11,976,000 for construction instead of $10,976,000 as proposed by the House and $12,976,000 as proposed by the Senate.

There is an increase above the House for construction of $1,000,000 for the California Trail Interpretive Center, NV.

PAYMENTS IN LIEU OF TAXES

The conference agreement provides $220,000,000 for payments in lieu of taxes instead of $230,000,000 as proposed by the House and $210,000,000 as proposed by the Senate.

LAND ACQUISITION

The conference agreement provides $33,450,000 for land acquisition instead of $47,486,000 as proposed by the House and $30,150,000 as proposed by the Senate. Funds should be distributed as follows:

Area (State)	*Amount*
Cosumnes River Watershed (easements only)(CA)	$2,500,000
El Dorado Preserve (CA)	2,000,000
Golden Bair Ranch (CO)	1,500,000
Kasha-Katuwe Tent Rocks (NM)	1,500,000
King Range National Conservation Area (CA)	2,000,000
Lewis and Clark NHT (ID)	1,000,000
Lewis and Clark NHT (MT)	1,000,000
Moses Coulee (WA)	1,000,000
Otay Mountains (Kuchamaa) (CA)	
Patterson Bend/Squaw Leap Management Area (CA)	900,000
Potrero Creek (CA)	2,000,000
Rio Grande National Wild and Scenic River (NM)	3,500,000
Sandy River (OR)	2,500,000
Santa Rosa and San Jacinto Mountains NM (CA)	1,000,000
Sears Point Area Critical Env'tal Concern/Juan Bautista De Anza NHT (AZ)	800,000
Snake River Birds of Prey Nat'l Conservation Area (ID)	1,000,000
Upper Snake/South Fork Snake River (ID)	2,000,000
Washington State Land Exchange (WA)	1,000,000
Use of carryover balances	−1,000,000
Subtotal	*27,450,000*
Land Equalization Payment	500,000
Acquisition Management	4,000,000
Emergency/Inholdings/Relocation	1,500,000
Total	*$33,450,000*

The Committee has consistently supported the West Eugene Wetlands acquisition program over the years, and is aware that the Federal portion of the acquisition program is nearing completion. In order to conclude the project properly, certain issues regarding the status of lands in the project area must be resolved. Should these issues be resolved in a manner that warrants additional Federal acquisition support, the managers will consider providing funding to complete the project in future budgets.

Funds for the Golden Bair Ranch are conditioned on BLM providing public access to this property. The money for Cosumnes River Watershed is restricted to conservation easements only. The managers have reprogrammed Spring Gulch funds to the Continental Divide NST and Devils Canyon Ranch as proposed by the Senate.

OREGON AND CALIFORNIA GRANT LANDS

The conference agreement provides $105,633,000 for Oregon and California grant lands as proposed by the House and Senate.

RANGE IMPROVEMENTS

The conference agreement provides an indefinite appropriation for range improvements of not less than $10,000,000 as proposed by the House and Senate.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The conference agreement provides an indefinite appropriation for service charges, deposits, and forfeitures, which is estimated to be $7,900,000 as proposed by the House and Senate.

MISCELLANEOUS TRUST FUNDS

The conference agreement provides an indefinite appropriation of $12,405,000 for miscellaneous trust funds as proposed by the House and Senate.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The conference agreement provides $917,429,000 for resource management instead of $918,359,000 as proposed by the House and $902,697,000 as proposed by the Senate. The numerical changes described below are to the House recommended level.

In endangered species programs, there are increases in candidate conservation of $150,000 for the burbot population in the Kootenai River in Idaho, $300,000 for the Idaho sage grouse management plan through the Idaho Office of Species Conservation, $750,000 for sea otter research in Alaska, and $50,000 for the Idaho Department of Agriculture to study the influence of herbivory on slickspot peppergrass. In ESA recovery, there are increases of $1,000,000 for the Atlantic salmon program administered by the National Fish and Wildlife Foundation, $100,000

for salmon recovery in Maine, $1,000,000 for eider recovery at the Alaska SeaLife Center, $50,000 for freshwater mussel recovery at the White Sulphur Springs NFH in West Virginia, $500,000 for Lahonton cutthroat trout, $150,000 for wolf monitoring by the Nez Perce Tribe in Idaho, $75,000 for the Service's Snake River Basin office's wolf monitoring efforts, and $250,000 for wolf monitoring efforts at the Idaho Office of Species Conservation. There are also decreases in ESA recovery of $1,000,000 for the Washington State salmon program administered by the National Fish and Wildlife Foundation and a $1,000,000 general decrease.

In habitat conservation, increases in the partners for fish and wildlife program include $1,400,000 for the Washington State regional salmon enhancement program, $700,000 for invasive species control in Hawaii, $100,000 for bald eagle restoration in cooperation with the Vermont Natural Heritage Partners program, $400,000 for the Big Hole Watershed Committee in Montana, $750,000 for the Hawaii ESA Community Conservation Plan, $1,250,000 for the Nevada biodiversity research and conservation project, $175,000 for the Thunder Basin grasslands initiative in Wyoming, and $500,000 for the Montana Water Center wild fish habitat initiative. Decreases in the partners for fish and wildlife program include $500,000 for nutria eradication at the Blackwater NWR, MD, $550,000 for bull trout conservation in Washington State, $1,400,000 for the Washington State ecosystems program, $1,000,000 for invasive species control, and $300,000 for spartina control at Willapa Bay, WA.

In project planning, there are increases of $150,000 for the Middle Rio Grande/Bosque research program and $474,000 for wildlife assessments at Yukon Flats, AK.

In coastal programs, there is an increase of $750,000 for the Cook Inlet Aquaculture Association king salmon program in Alaska and a decrease of $1,000,000 for cost shared projects, including invasive species control.

There is a decrease of $500,000 for the environmental contaminants program.

In refuge operations and maintenance, there is an increase of $300,000 for invasive species control at the Willapa NWR, WA and decreases of $1,000,000 for invasive species control with friends groups and volunteers and $5,000,000 for refuge maintenance.

In migratory bird management, there is an increase of $575,000 to reduce seabird bycatch in Alaska, and decreases of $1,000,000 for the Canada goose depredation program and $1,000,000 for the joint ventures program. The funding level for each joint venture is identical to that shown in the Senate report.

In fisheries, there is a decrease of $500,000 for the Washington State hatchery improvement project in hatchery operations and maintenance. In fish and wildlife management, increases include $300,000 for fish passage along railroads in Alaska, $118,000 for fish surveys at the White Sulphur Springs NFH, WV, $850,000 for wildlife enhancement in Starkville, Mississippi, $400,000 for the Wildlife Health Center in Montana, $2,403,000 for Yukon River treaty implementation in Alaska, and $1,200,000 for marine mammal protection in Alaska. Decreases in fish and wildlife management include $100,000 for salmon reproductive biology research at Washington State University, $1,000,000 for cooperative projects for fish passage, and $1,000,000 for aquatic nuisance control.

In general administration, there are increases of $200,000 for the Caddo Lake Ramsar Center in Texas and $550,000 for maintenance at the National Conservation Training Center and a decrease of $1,000,000 for a National Academy of Sciences review of the State Wildlife Grants program.

Within the increased funds above the fiscal year 2002 level provided for resource management, $5,000,000 is in support of the Cooperative Conservation Initiative proposal. These funds are targeted for existing programs that have a proven record in leveraging funds and delivering valuable resource restoration results. The $5,000,000 increase consists of $3,000,000 for the refuge challenge cost share program, $1,000,000 for invasive species control projects with refuge friends groups and volunteers, and $1,000,000 for cooperative fish passage projects.

The managers are very concerned by the proposed increase in administrative costs charged to programs under the Service's cost allocation methodology (CAM) without any justification for these increases in the budget request. The managers expect that the Service will charge no increase in CAM to programs in fiscal year 2003 unless such increases are thoroughly justified through the reprogramming process. The managers suggest that any increase for CAM requested through the reprogramming process be extremely modest.

The Service needs to do a better job of explaining CAM and making it more transparent and readily understandable to a wide audience. Costs that are directly attributable to headquarters operations and regional office operations should be budgeted under general administration for those operations unless there is a clear and well-justified rationale for inclusion in CAM. No unbudgeted special projects, headquarters or regional initiatives, or departmental initiatives should be included in CAM. If there is uncontrollable cost growth associated with CAM it should be identified in the budget as a fixed, uncontrollable cost increase and not funded at the expense of programs.

The managers agree to the following:

1. The funds made available for Georgia stream bank restoration are for the Georgia Soil and Water Conservation Commission except that $25,000 is for technical assistance by the Service.

2. The funds added for fish surveys at the White Sulphur Springs NFH in West Virginia should remain in the base for future budgets.

3. Funds have not been included for a National Academy of Sciences review of State wildlife grants as proposed by the House. This issue will be revisited in the fiscal year 2004 budget process.

4. The Service should continue to assist the Corps of Engineers in its comprehensive review of alternative approaches to preserving the Meadowlands wetlands area in northern New Jersey. The conference agreement provides an increase of $180,000 as proposed by the House for this purpose.

5. The Service should continue to support the Carhart Wilderness Training Institute at the $200,000 level, which is the same as in fiscal year 2002.

6. Within available funds, the Service should address the needs of the Pittsford NFH, VT and Ouray NFH, UT.

7. The funds provided to combat whirling disease and related fish health issues include $700,000 for the National Partnership on the Management of Wild and Native Cold Water Fisheries, $250,000 for resistant trout research coordinated through the Whirling Disease Foundation, and $1,296,000 to continue the National Wild Fish Health Survey, to expand whirling disease investigations, and to recruit and train health professionals.

8. The issue of continued operation of the airfield at Midway Atoll NWR needs to be addressed immediately. There are no funds in the Service's budget to continue to operate the airfield for commercial aircraft purposes. If the parties who benefit from the current airport certification are unwilling to pay the additional expense associated with maintaining that certification, the Service should scale back its operations to include only those requirements necessary for refuge operations, including maintaining a reasonable level of visitor access.

9. The containment and cleanup of the recent spill of jet fuel at Midway Atoll NWR should be addressed as quickly as possible. The Service should keep the House and Senate Committees on Appropriations apprised of its efforts to address this problem. The Department should consider submitting a supplemental appropriations request to address this emergency situation.

10. The Secretary recently re-chartered the Hanford Reach National Monument Federal Planning Advisory Committee and increased the number of committee members from 13 to 19. In the interest of continuity and assuring timely completion of the committee's work, the managers expect the Secretary to retain the current members when appointing members to the committee. The managers are concerned that replacement of the current 13 members would severely undermine the valuable work completed thus far.

Bill Language.—While the total funding for the endangered species-listing program is unchanged, the conference agreement earmarks $6,000,000 for critical habitat designation activities within the listing program instead of $5,000,000 as proposed by both the House and the Senate. The managers understand that the Department believes additional funding, beyond that requested in the budget, will be needed for the listing program in fiscal year 2003 and the managers will consider a supplemental request for additional funds if one is submitted later this year.

CONSTRUCTION

The conference agreement provides $54,427,000 for construction instead of $53,108,000 as proposed by the House and $42,882,000 as proposed by the Senate. Funds are to be distributed as follows:

Project	Description	Amount
Bear River NWR, UT	Headquarters and Education Center [cc]	$1,800,000
Bitter Lake NWR, NM	Visitor center/standard design—Phase I [d/ic]	1,100,000
Black-Footed Ferret Wildlife Research Ctr, CO	Endangered species facility—Phase IV [cc]	3,240,000
Bosque del Apache NWR, NM	Equipment for salt cedar control	400,000
Bozeman Fish Technology Center, MT	Seismic safety/3 building rehab—Phase I[p/d]	150,000
Bozeman Fish Technology Center, MT	Laboratory/administration building—Phase IV [c]	500,000
Bridge Safety Inspections (Servicewide)		560,000
Canaan Valley NWR, WV	Road Maintenance	650,000
Cape Romain NWR, SC	Restoration of Dominick House	150,000
Clark R. Bavin Forensics Laboratory, OR	Forensics laboratory expansion—Phase III [c]	6,235,000
Craig Brook NFH, ME	Wastewater treatment compliance—Phase I [p]	200,000
Dam Safety Program (Servicewide)		705,000
Garrison Dam NFH, ND	Heat pump water system maintenance [c]	200,000
Harris Neck NWR, GA	Office renovation	350,000

Project	Description	Amount
Iron River NFH, WI	Replace domes at Schacte Creek [cc]	2,000,000
Jackson NFH, WY	Seismic safety rehabilitation—Phase II [d]	80,000
Jordan River NFH, MI	M/V Togue/Great Lakes stocking vessel—Phase II [d]	800,000
Kealia Pond NWR, HI	Mitigation and restoration [c]	800,000
Klamath Basin NWR Complex, CA	Water supply and management—Phase IV	1,000,000
Kodiak NWR, AK	Visitor center construction	3,000,000
Mammoth Springs NFH, AR	Renovation of education center [d]	250,000
Missisquoi NWR, VT	Visitor center completion [c]	1,500,000
Northwest Power Planning Area	Fish screens, etc.	2,000,000
Ohio River Islands NWR, WV	Visitor center/standard design—Phase I [d/ic]	1,100,000
Orangeburg NFH, SC	Orangeburg substation dam Phase II [cc]	4,144,000
Ottawa NWR, OH	Visitor center/standard design [d/cc]	1,950,000
Quilcene NFH, WA	Seismic safety rehab of hatchery building—Phase I [d]	45,000
Savannah NWR, GA	Visitor center/standard design [d/cc]	1,950,000
Security upgrades (Servicewide)		1,000,000
Sevilleta NWR, NM	Laboratory design	600,000
Sonny Bono Salton Sea NWR, CA	Seismic safety rehab of shop building—Phase II [cc]	200,000
Tetlin NWR, AK	Multi-Agency Center	425,000
Visitor Facilities/Kiosks on NWRs	Several locations/standard design	1,000,000
Waccamaw NWR, SC	Visitor center construction	2,000,000
White Sulphur Springs NFH, WV	Maintenance	625,000
Wolf Creek NFH, KY	Visitor center	500,000
World Birding Center, TX		500,000
Subtotal, Line Item Construction		43,709,000
Nationwide Engineering Services:		
Cost Allocation Methodology		3,000,000
Environmental Compliance Management		1,400,000
Seismic Safety Program		200,000
Waste Prevention and Recycling		150,000
Other Engineering Services		5,968,000
Subtotal, Nationwide Engineering Services		10,718,000
Total		$54,427,000

The managers continue to believe that the Service should focus on providing on-the-ground refuge experiences for visitors and modest visitor/education centers and visitor contact stations. The maximum cost for any visitor center should not exceed $3 million unless there are extreme, extenuating circumstances, such as the high cost of materials transport and construction in Alaska. The managers expect the Service to treat the maximum amount as a true ceiling and not the amount that every visitor center will cost. Also, visitor contact stations should have a much lower maximum funding level.

The managers agree to the following:

1. The balance of funding needed to complete the Bitter Lake NWR visitor center in New Mexico and the Ohio River Islands visitor center in West Virginia should be included in the fiscal year 2004 budget.

2. This is the final year of funding for Kealia Pond mitigation and restoration work in Hawaii.

3. The funds provided for kiosks on refuges should provide for at least 20 of these structures, given that the Service reports that the cost of each structure generally is less than $50,000. The managers encourage the Service to use standard designs and pursue cost sharing with friends groups and others to leverage these funds to the extent possible.

LAND ACQUISITION

The conference agreement provides $73,370,000 for land acquisition instead of $82,250,000 as proposed by the House and $81,555,000 as proposed by the Senate. Funds should be distributed as follows:

Area (State)	*Amount*
Alaska Peninsula NWR—TDX (AK)	$1,500,000
Baca Ranch (CO)	5,000,000
Back Bay NWR (VA)	1,500,000
Balcones Canyonlands NWR (TX)	1,500,000
Bandon Marsh NWR (OR)	140,000
Big Muddy NWR (MO)	1,000,000
Buenos Aires NWR (AZ)	500,000
Cache River NWR (AR)	1,500,000
Cahaba River NWR (AL)	3,000,000
Cape May NWR (NJ)	500,000
Cat Island NWR (LA)	2,500,000
Centennial Valley NWR (MT)	500,000
Chickasaw NWR (TN)	500,000
Clarks River NWR (KY)	1,500,000
Cypress Creek NWR (IL)	250,000
Dakota Tallgrass Prairie WMA (ND/SD)	500,000
Detroit River IWR (MI)	3,500,000
Fairfield Marsh WPA (WI)	1,000,000
Great Bay NWR (NH)	300,000
Great Meadows NWR (MA)	1,600,000
Great River NWR (MO)	1,000,000
Great Swamp NWR (NJ)	750,000
James Campbell NWR (HI)	1,000,000
Laguna Atascosa NWR (TX)	750,000
Lower Hatchie NWR (TN)	300,000
National Key Deer NWR (FL)	750,000
Neal Smith NWR (IA)	250,000
Northern Tallgrass Prairie NWR (MN/IA)	500,000
Ottawa NWR (OH)	600,000
Parker NWR (MA)	500,000
Patoka River NWR (IN)	250,000
Pelican Island NWR (FL)	1,750,000
Prime Hook NWR (DE)	1,350,000
Quinault Indian Reservation (WA)	5,000,000
Rachel Carson NWR (ME)	1,500,000
Rappahannock River Valley NWR (VA)	180,000
Red River NWR (LA)	3,900,000
Rhode Island Refuge Complex (RI)	2,000,000
San Diego NWR (CA)	2,000,000
Savannah NWR—Mulberry Grove (GA)	2,000,000
Silvio O. Conte NFWR (VT/NH/MA/CT)	1,000,000
St. Marks NWR (FL)	2,000,000
Togiak NWR (AK)	1,000,000
Upper Mississippi River NFWR (MN/WI/IA/IL)	250,000
Waccamaw NWR (SC)	2,500,000
Western Montana Project (MT)	750,000
Willapa NWR (WA)	750,000
Use of carryover balances	−7,000,000
Subtotal	55,870,000
Acquisition Management	10,000,000
Emergencies and Hardship	2,000,000
Exchanges	1,000,000
Inholdings	2,000,000
Cost Allocation Methodology (CAM)	2,500,000
Total	$73,370,000

LANDOWNER INCENTIVE PROGRAM

(INCLUDING RESCISSION)

The conference agreement provides $40,000,000 for the landowner incentive program as proposed by the House instead of $600,000 as proposed by the Senate. The conference agreement also rescinds $40,000,000 in funds appropriated in fiscal year 2002 for this program because there has been a delay in implementing this new program. The managers expect the Service to make grant awards using the existing program applications.

STEWARDSHIP GRANTS

(INCLUDING RESCISSION)

The conference agreement provides $10,000,000 for stewardship grants as proposed by the House instead of $200,000 as proposed by the Senate. The conference agreement also rescinds $10,000,000 in funds appropriated in fiscal year 2002 for this program because there has been a delay in implementing this new program. The managers expect the Service to make grant awards using the existing program applications.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The conference agreement provides $81,000,000 for the cooperative endangered species conservation fund as proposed by the Senate instead of $121,400,000 as proposed by the House. The funds for habitat conservation plan land acquisition are derived from the Land and Water Conservation Fund as proposed by the House.

The managers encourage the Service to consider the Potrero Creek project in California and the Black Capped Vireo project in Texas if the project proposals are submitted and rank within the range of high priority project proposals.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides $14,414,000 for the national wildlife refuge fund as proposed by the Senate instead of $19,414,000 as proposed by the House.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides $38,560,000 for the North American wetlands conservation fund as proposed by the Senate instead of $43,560,000 as proposed by the House.

Since the program is funded below the 2001 level, the managers have not agreed to bill language, proposed by the House, limiting increased grant funding above the fiscal year 2001 level to projects in the United States.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The conference agreement provides $3,000,000 for the neotropical migratory bird conservation program instead of $5,000,000 as proposed by the House and $2,000,000 as proposed by the Senate.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides $4,800,000 for the multinational species conservation fund as proposed by the House instead of $4,200,000 as proposed by the Senate.

STATE AND TRIBAL WILDLIFE GRANTS

The conference agreement provides $65,000,000 for State and tribal wildlife grants instead of $100,000,000 as proposed by the House and $45,000,000 as proposed by the Senate. Within this amount, $5,000,000 is for a competitive grant program for Indian tribes as proposed by the House instead of $3,000,000 as proposed by the Senate.

The conference agreement changes the title of this account from ''State Wildlife Grants'' to ''State and Tribal Wildlife Grants'' as proposed by the Senate and includes statutory language permitting the merger of funds in the old account with funds in the new account.

The Committee has not included $1,000,000 in the resource management account as proposed by the House for a National Academy of Sciences review of the State wildlife plans funded under this account. This issue will be revisited in the 2004 budget process.

ADMINISTRATIVE PROVISIONS

The conference agreement authorizes the use of $500,000 in previously appropriated funds for land acquisition of the Great Salt Pond burial tract for the Narragansett Tribe as proposed by the Senate. The House had no similar provision.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides $1,565,565,000 for the operation of the national park system instead of $1,605,593,000 as proposed by the House and $1,571,065,000 as proposed by the Senate.

The conference agreement provides $344,227,000 for resource stewardship. The change to the House level is a reduction of $2,093,000 for uncontrollable costs. Within these totals, an increase of $600,000 is provided for Vanishing Treasures.

The conference agreement provides $319,128,000 for visitor services. The change to the House level is a reduction of $3,536,000 for uncontrollable costs.

The conference agreement provides $522,823,000 for maintenance. Changes to the House level include decreases of $3,837,000 for uncontrollable costs, $5,000,000 for cyclic maintenance, $2,000,000 for condition assessments, $3,000,000 for repair and rehabilitation, and $1,000,000 for a strategic business advisor.

The conference agreement provides $277,151,000 for park support. Changes to the House level include decreases of $2,562,000 for uncontrollable costs and $2,000,000 for the challenge cost share program. The conference agreement retains $5,000,000 for the challenge cost share program in support of the Secretary's Cooperative Conservation Initiative. The managers intend that one-third of the monies provided in the base funding (before the increase for 2003) for the challenge cost share program continue to be earmarked for trails.

Although the conference agreement includes a $6,000,000 undistributed reduction to park base operations, the managers have also provided a $14,000,000 increase specifically for park-based programs above the amount provided in the President's budget.

Within the maintenance account, the managers earmark the following projects: $233,000 for Bachlott House, $45,000 for St. Mary's Museum at Cumberland Island NS, $400,000 for historic structures at Great Smokey Mountains NP, $200,000 for repairs at the Belle Haven marina, $500,000 for the Wright Brothers National Memorial in North Carolina, $170,000 for Fort Piute at Mojave National Preserve and $300,000 for Gettysburg NMP landscape restoration.

The managers concur with the concerns expressed by the Senate with regard to both the rehabilitation and the annual opening of the Going-to-the-Sun Road at Glacier National Park. The managers have retained a general provision allowing for the use of certain carryover funds for road rehabilitation, and strongly encourage the Administration to include in its TEA–21 reauthorization proposal the resources necessary for complete rehabilitation of the Road. The managers have also provided additional resources to enhance spring opening operations. While the managers understand that these additional resources may not be entirely in place prior to the 2003 opening, the Park should make every effort to implement the operational changes promptly, or put in place appropriate interim measures where necessary to expedite the opening of the road. In lieu of the report required by the Senate, the Park should incorporate into its annual road opening plan the operational changes supported by the additional funds provided in this Act. The plans for both 2003 and 2004 should be submitted to the House and Senate Committees on Appropriations upon completion. The managers further urge the Park to continue efforts to involve the local community in the development of the annual opening plan and the road opening process in general. The managers appreciate the heightened attention given to these issues by Park leadership.

The managers have not agreed to provide $750,000 for an independent management, operational, performance and financial review of Yellowstone National Park, as proposed by the Senate. The Park is nearing completion of its business plan pursuant to the Service's business plan initiative. The managers intend to review carefully the information presented in that document, and subsequently reconsider the need for an additional, more comprehensive review. The managers are fully aware that there are unmet needs within the Park, but remain concerned that public comments by park staff do not reflect the substantial additional resources provided to the Park in recent years. The managers look forward to working with the Service to ensure that these resources are being properly managed for the benefit of the Park.

The managers direct that the superintendent of Yosemite National Park renew, in such form as he deems appropriate, permits or authorizations for stock use by recreational service providers who were previously authorized by an appropriate agreement or permit to provide such recreational activities and services within the Park during 2002. These permits or authorizations may be renewed for one year only and under the same or similar terms and conditions as the activities and services authorized for that entity in 2002. The Superintendent shall not issue any such permit or authorization to any entity, which he determines is not qualified to receive such authorization based on past performance or present ability.

Within the funds provided, the managers encourage the National Park Service to maximize and enhance the marketing of historic sites of the French and Indian War with those of the War for Independence campaign currently underway. The 250th anniversary of the French and Indian War, spanning 2004–2010, presents a significant opportunity to tell the story of America's early history leading up to the Revolutionary War. The character and capacity of leadership exhibited by men such as George Washington, Benjamin Franklin, Daniel Morgan, Daniel Boone, Adam Stephen, Charles Lee and Horatio Gates, was profoundly influenced, and in some cases directly shaped, by their experiences in the French and Indian War. By linking the narratives of the French and Indian War and the Revolutionary War, a unique opportunity is created to attract and engage citizens and international visitors in developing a fresh and meaningful understanding of how the values of liberty and equality came to shape our nation.

The managers note that the District of Columbia has developed plans for the design and construction of a Regional Sports Complex at Kenilworth Park in northeast Washington, a portion of which is owned by the National Park Service. The site, an area of approximately 50 acres, was a District landfill until the late 1960s when the landfill was capped.

The Service has conducted a preliminary assessment/site investigation and a remedial investigation/feasibility study at the site. The latter study is in draft and has been coordinated with the District and EPA Region III. As a result of regulatory review, the managers understand that the District has requested a Human Health Risk Assessment from the Centers for Disease Control and Prevention, and Region III of the Environmental Protection Agency has made extensive comments that will result in further investigations and require at least a year or more to complete.

The managers direct the Service to work with the Government of the District of Columbia, specifically the D.C. Department of Recreation and the D.C. Sports and Entertainment Commission, to develop a land use plan for the development of Kenilworth Park that could be implemented in conjunction with remediation, and to report the results of that effort to the House and Senate Committees on Appropriations no later than six months after enactment of this Act. The managers recognize that, before any plan can be implemented for this site, environmental investigations and subsequent remediation must be completed.

The Service is directed to provide level funding to the Carhart Wilderness Training Institute.

The managers are concerned about a recent GAO report on travel expenses, both domestic and international. The report states that while $37–$50 million has been expended for travel in each of the last four years, the Service could not give specific information on the actual costs of domestic travel, international travel or travel to conferences because it does not routinely record these data. The Federal Travel Regulations require that agency travel accounting systems capture certain data, including travel type and purpose. The Service is not in compliance with these regulations.

Over the last three years, travel has increased 29 percent, including a 60 percent increase in the Washington office and a 32 percent increase in foreign travel—from 355 annual trips to 470 trips in fiscal year 2002. While the managers understand that travel is a mission essential element, the GAO study demonstrates that the Service does not have sufficient controls in this area. With declining budgets, major efficiencies should be achieved in this area, which would free up needed resources for individual park units.

The managers expect the Service to comply with all the GAO recommendations no later than September 30, 2003, and to submit annually, by October 1 of each year, a report to the House and Senate Committees on Appropriations with detailed data on domestic travel, international travel, and travel to conferences. The data should be provided for the Washington office and for each region.

UNITED STATES PARK POLICE

The conference agreement provides $78,431,000 for the United States Park Police, the same as the House and the Senate.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides $61,667,000 for national recreation and preservation, instead of $56,330,000 as proposed by the House and $62,978,000 as proposed by the Senate.

The conference agreement provides $552,000 for recreation programs. Within the amount provided for natural programs, the managers earmark $250,000 for the Northern Forest Canoe Trail.

The conference agreement provides $20,048,000 for cultural programs. Changes to the House level include decreases of $1,000,000 for National Register programs and $250,000 for the Heritage Education Model in Louisiana. The Service is directed to provide $250,000 for the Heritage Education Model in Louisiana from within available funds. The agreement retains $300,000 for Heritage Preservation, Inc.

The conference agreement provides $14,374,000 for nationally designated Heritage Areas. Funds (excluding $119,000 in administrative costs) are to be distributed as follows:

Project	*Amount*
America's Agricultural Heritage Partnership (Silos & Smokestacks)	$750,000
Augusta Canal National Heritage Area	600,000
Automobile National Heritage Area	500,000
Blue Ridge Parkway National Heritage Area	250,000
Cache La Poudre River Corridor	50,000
Cane River National Heritage Area	995,000
Delaware and Lehigh National Heritage Corridor	850,000
Erie Canalway National Corridor	400,000
Essex National Heritage Area	1,000,000
Hudson River Valley National Heritage Area	600,000
Illinois and Michigan Canal National Heritage Corridor	750,000
John H. Chafee Blackstone River Valley National Heritage Center	800,000
Lackawanna Valley National Heritage Area	650,000
National Coal Heritage Area	210,000
Ohio and Erie Canal National Heritage Corridor	1,000,000
Quinebaug and Shetucket Rivers Valley National Heritage Center	850,000
Rivers of Steel National Heritage Area	1,000,000
Schuykill River Valley National Heritage Area	500,000
Shenandoah Valley Battlefields National Historic District	500,000
South Carolina National Heritage Corridor	1,000,000
Tennessee Civil War Heritage Area	210,000
Wheeling National Heritage Area	580,000
Yuma Crossing National Heritage Area	210,000
Project total	$14,255,000

The conference agreement provides $12,041,000 for statutory or contractual aid. The funds are to be distributed as follows:

Project	*Amount*
Aleutian World War II Historic Area	$400,000
Brown Foundation	201,000
Chesapeake Bay Gateways	2,000,000
Dayton Aviation Heritage Commission	449,000
Flight 93 Memorial	300,000
Ice Age National Scientific Reserve	806,000
Jamestown 2007	200,000
Johnstown Area Heritage Association	49,000
Lake Roosevelt Forum	50,000
Lamprey River	600,000
Louisiana Purchase Comm of Arkansas	200,000
Martin Luther King, Jr. Center	528,000
National Constitution Center	500,000
Native Hawaiian Culture and Arts Program	740,000
New Orleans Jazz Commission	66,000
Office of Arctic Studies	1,500,000
Penn Center National Landmark	500,000
Roosevelt Campobello International Park Commission	802,000
Sewall-Belmont House	400,000
Sleeping Rainbow Ranch, Capitol Reef NP	500,000
St. Charles Interpretive Center	500,000
Vancouver National Historic Reserve	250,000
Virginia Key Trust Miami	500,000
Total	$12,041,000

The amount provided for the Dayton Aviation Heritage Commission includes $150,000 for interpretive exhibits. Funding for Ft. Piute in Mojave National Preserve is addressed in the operation of the national park system account.

URBAN PARK AND RECREATION FUND

The conference agreement provides $300,000 for the urban park and recreation fund instead of $30,000,000 provided by the House and $10,000,000 as provided by the Senate. The managers have provided $300,000 for administrative expenses.

HISTORIC PRESERVATION FUND

The conference agreement provides $69,000,000 for the historic preservation fund instead of $76,500,000 as provided by the House and $67,000,000 as provided by the Senate. The changes to the House level include a reduction of $6,000,000 for grants in aid to States and Territories, $1,000,000 for grants in aid to Indian Tribes and a reduction of $500,000 for the National Trust for Historic Preservation.

Included in the total is $30,000,000 for Save America's Treasures. Half of the funds for the Save America's Treasures program are to be distributed as follows:

Project/State	*Amount*
AME Church, Madison, IN	$100,000
Antigo Courthouse Langlade, County, WI	175,000
Battlefield Park Heritage Center, GA	300,000
Bealle Home, OH	200,000
Biltmore Hotel & Complex, FL	800,000
Brinton House, Perryville, KY	250,000
Bronx Zoo, Rockefeller Fountain, NY	300,000
Cass Historic District, WV	350,000
Charles I.D. Looff Carousel, East Providence, RI	250,000
Charles W. Morgan, CT	345,000
Colony Theatre, Washington County, OH	300,000
Daly Mansion, MT	300,000
Deerfield Historic Acropolis, MA	300,000
Des Moines Library, IA	300,000
Dirigible Hangar B, Tillamook, OR	250,000
Duquesne Incline, PA	200,000
Ethan Allen Firehouse, VT	500,000
Eureka Springs Historic Auditorium, AR	250,000
Farnsley—Kauffman House, KY	200,000
Fort Mifflin, PA	250,000
Fox Theatre, CA	200,000
Gillioz Theatre, MO	250,000
Gordo Old Town Hall-Jail, AL	15,000
Grand Opera House, Dubuque, IA	250,000
Great Brick Chapel, St Mary's City, MD	300,000
Green County Courthouse Square, AL	300,000
Gretna Post Office, LA	200,000
Harden Gilmore House, WV	100,000
Historic Grafton Railroad Station, WV	300,000
Jefferson Barracks, MO	200,000
John Jackson Center for Piedmont Blues, Fall Church, VA	65,000
Judge Wickersham House, AK	300,000
Kingman Courthouse, KS	200,000
Livingston Depot, MT	300,000
Ma Rainey Museum of the Blues, GA	150,000
Majestic Theatre, OH	200,000
Martin Luther King Jr. Central Union Terminal, Toledo, OH	250,000
Metropolitan Museum of Art, NY	650,000
Minneapolis Park & Rec Board, Mill Ruins Park, MN	250,000
Montrose City Hall, CO	250,000
National Army Museum of the Southwest, Fort Sill, OK	500,000
Ogden Union Station, UT	200,000
Port Angeles Carnegie Library Renovation, WA	300,000
Roswell Museum, NM	340,000
Sappa Park House, KS	8,000
Silver Lake Bank Building, PA	50,000
Smyrna Opera House/Town Hall, DE	300,000
Spokane Masonic Temple, WA	300,000
Stone County Courthouse, MS	250,000
Strong Museum, NY	225,000
Teeple Barn, IL	150,000
Thomas Cole House, NY	200,000
Henderson Courthouse, NC	200,000
Touro University School of Nursing, Vallejo, CA	250,000
Vista del Rio, AZ	50,000
West Main Street, KY	242,000
Westerly Armory, RI	300,000
White Island Lighthouse, Portsmouth, NH	250,000
Woodlawn Estate, Mt Vernon, VA	235,000
Total	$15,000,000

CONSTRUCTION

The conference agreement provides $327,843,000 for construction instead of $325,186,000 as proposed by the House and $322,826,000 as proposed by the Senate. The funds are to be distributed as follows:

Project	Planning/ Construction
Acadia NP, ME (rehab bridges)	$3,351,000
Acadia NP, ME (upgrade utilities/ camp)	5,171,000
Adams NP, MA (p/d visitor center)	541,000
Alice Ferguson Foundation, MD (rehabilitation)	400,000
Apostle Islands NL, WI (lighthouse)	1,600,000
Apostle Islands NL, WI (upgrade utility system)	1,030,000
Arches NP, UT (replace visitor center)	5,600,000
Bent's Old Fort NHS, CO (new space/restrooms)	1,325,000
Big Bend NP, TX (Chisos Basin Campground)	464,000
Big Bend NP, TX (rehabilitation)	246,000
Big Bend NP, TX (sprinkler system)	673,000
Big Cypress NP, FL (rehab off-road trails)	1,000,000
Big South Fork National River & Rec Area, KY/TN (upgrade exhibits)	400,000
Blue Ridge Parkway, NC	1,624,000
Canaveral NS, FL	1,400,000
Cave & Karst, NM	2,000,000
Channel Islands NP, CA (animal protection devices)	2,116,000
Chickasaw NRA, OK (construct visitor center)	2,665,000
Colonial NP, VA (Jamestown collections)	4,221,000
Congaree Swamp NM, SC (new maint facility)	650,000
Cumberland Gap NHP, KY (rehab wilderness road)	5,583,000
Cumberland Island NS, GA (Plum Orchard)	442,000
Cumberland Island NS, GA (St. Mary's)	2,720,000
Cuyahoga NP, OH	2,500,000
Death Valley NP, CA (replace maint facility)	2,007,000
Denali NP&P, AK (complete visitor center)	3,171,000
Eleanor Roosevelt NHS, NY (restoration)	400,000
Everglades NP, FL (Pine Island waste water treatment)	4,594,000
Everglades NP, FL (water system)	10,000,000
Fort Larned NHS, KS (rehab quarters)	30,000
Fort McHenry, MD (p/d visitor center)	200,000
Fort Osage NHL, MO (education center)	500,000
Fort Stanwix NM, NY	3,239,000
Fredericksburg & Spotsylvania NMP, VA (stabilize ruins)	750,000
Gateway NRA, NY (Jamaica Bay)	3,299,000
General Grant NM, NY (rehab tomb)	175,000
George Washington Carver NM, MO (improvements)	300,000
George Washington Memorial Parkway, VA (Arlington Boathouse, EA)	600,000
George Washington Memorial Parkway, VA (Arlington House)	616,000
Gettysburg NMP, PA (conservation work)	2,500,000
Gettysburg NMP, PA (Wills house)	938,000
Glacier NP, MT (Many Glacier Hotel)	1,500,000
Golden Gate NRA, CA (Alcatraz barracks)	1,210,000
Golden Gate NRA, CA (Cliff House)	1,914,000
Grand Portage NM, MN (heritage center)	400,000
Great Basin NP, NV (complete visitor center)	2,700,000
Great Sand Dunes NM & Pres, CO (renovate visitor center)	4,424,000
Harpers Ferry NP, WV (renovate bldgs)	1,413,000
Hispanic Cultural Center, NM (complete)	1,000,000
Homestead NHS, NE	300,000
Independence NHP, PA (site rehab)	4,923,000
Indiana Dunes NHP, IN	2,389,000
Japanese American History (building 640)	600,000
Jean Lafitte NHP, LA (Chalmette failing drainage & Barataria exhibits)	500,000
John H. Chafee Blackstone River Valley NHC, RI (restoration)	1,000,000
Joshua Tree NP, CA (repair campgrounds)	70,000
Keweenaw NHP, MI (rehab bldg)	395,000
Lincoln Library & Museum, IL (construction)	7,500,000
Mammoth Cave NP, KY (mitigate water pollution)	555,000
Manassas NB, VA (stabilize structures)	1,493,000
Mississippi Nat'l River & Rec. Area, MN (Mill City Museum exhibits)	1,000,000
Mississippi National River & Recreation Area, MN (Twin Cities)	750,000
Morris Thompson Visitor & Native Cultural Center, AK	3,000,000
Morristown NHS, NJ	3,200,000
Mt. Rainier NP, WA (seasonal dorms)	4,400,000
Mt. Rainier NP, WA (Guide House)	244,000
Natchez Trace Parkway, TN (access road)	350,000
National Capital Parks-Central, DC (Lincoln Memorial preservation)	5,192,000
National Capital Parks-Central, DC (Lincoln Memorial security)	6,183,000
National Museum of the American Revolution, PA	500,000
National Underground Railroad Freedom Center, OH	6,088,000
New Bedford Whaling NHP, MA (rehab Corson bldg)	500,000
New River Gorge NSR, WV (infrastructure improvements)	868,000
Olympic NP, WA (Elwha)	21,781,000
Oregon Caves NP, OR	1,044,000
Organ Pipe NM, AZ (fencing)	7,000,000
Pea Ridge NMP, AR (rehab exhibits)	109,000
Pea Ridge NMP, AR (replace cannon carriages)	230,000
Rocky Mountain NP, CO	2,335,000
Saratoga NHP, NY (exhibits)	300,000
SF Maritime NHP, CA (C.A. Thayer)	1,000,000
Stones River NB, TN (trails)	250,000
SW Pennsylvania Heritage Commission, PA	2,500,000
Tallgrass Prairie National Preserve, KS	2,891,000
Thomas Stone NHS, MD (staff offices)	395,000
Tuskegee Airmen NHS, AL (oral histories)	500,000
Ulysses S. Grant NHS, MO	1,994,000
USS Arizona Memorial, HI	1,157,000
Vicksburg NMP, MS (security upgrades)	300,000
Virginia City NHL, MT (restoration)	1,800,000
Washita NB, OK (completes)	3,500,000
White House, DC	9,582,000
Wind Cave NP, SD	2,172,000
Yellowstone NP, WY (rehabilitation)	6,396,000
Yellowstone NP, WY (upgrade fire protection)	757,000
Subtotal	215,595,000
Emergency/Unscheduled Projects	3,500,000
Housing replacement	10,000,000
Dam safety	2,700,000
Equipment replacement	31,960,000
Construction planning	25,400,000
Construction program management	24,792,000
General management planning	13,896,000
Total Construction	$327,843,000

The managers recommend $1,600,000 for the Apostle Islands National Lakeshore for erosion control at the Outer Island lighthouse. These funds, combined with remaining balances in the planning account for this project, will complete the erosion control work.

The managers did not retain funding for the following projects, because the Service indicated that, for various reasons, the funds could not be obligated in fiscal year 2003: Badlands National Park, Cape Cod National Seashore, Craters of the Moon National Monument, Mount Rainier National Park (electrical system), Petrified Forest National Park and Yellowstone National Park's Old Faithful Inn project. The managers will consider funding when these projects are ready to move forward.

The monies provided for Arches National Park, Colonial National Historical Park, Great Basin National Park, the Hispanic Cultural Center, Japanese American History (building 640), Morristown National Historic Site, Cumberland Island National Seashore (St. Mary's) and the National Underground Railroad Freedom Center complete these projects.

The managers have included funding this year to construct a new collections storage facility at Jamestown for Colonial National Historical Park. The managers understand that the current estimate for the next phase of the project, the replacement visitor center, is approximately $7,600,000, and strongly encourage the Service to include this component of the Jamestown 400th anniversary celebration in the fiscal year 2004 budget request. The Service should manage the planning and design for the visitor center project to remain within the current cost estimate.

The managers have deferred funding for repair and rehabilitation of Fort Washington, MD. The Service should develop a comprehensive solution to address the issues at Fort Washington, including identification of the priorities for stabilization work. The Service is encouraged to include funding for this project in the fiscal year 2004 budget, and include a summary of the aforementioned plan in the budget justification.

The managers have agreed to $200,000 for Fort McHenry, MD for a development concept plan, not for construction design. It is estimated that the DCP process will take about a year to complete. The DCP will look at site alternatives, as well as concepts. The project will be submitted by the park for consideration within the NPS five-year planning process. There have not been any private partnership commitments yet, although a fundraising agreement is in place. Private fundraising efforts are not anticipated to begin until the DCP is completed. The managers strongly urge the park to downscale its expectation for a $14 million visitor center. The park should work closely with the House and Senate Committees on Appropriations on the size and cost of the facility, as well as private funding commitments, before additional funds are provided for this project.

The managers have included funding to initiate planning on three proposed visitor center projects. Because of concerns about the projected scope of these projects, and the

need to address increased funding to reduce the deferred maintenance backlog, the managers are providing specific direction to limit the size and gross cost of these facilities, as follows; $3,500,000 for a new visitor facility at Washita National Battlefield, $4,000,000 for Grand Portage National Monument, and $4,500,000 for Homestead National Historic Site. Planning costs should be limited to 10% of the amounts listed above, consistent with the NAPA guidelines. The Service should provide an update to the House and Senate Committees on Appropriations on its revised approach and its progress on these projects by May 1, 2003.

The managers have provided $395,000 for Thomas Stone NHS—$300,000 to stabilize the East Wing and $95,000 to make a gravel parking lot ADA compliant. The managers have provided $500,000 under the operation of the national park system account for upgrades at the Wright Brothers National Memorial in North Carolina. The $400,000 for Eleanor Roosevelt NHS is for park restorations only as specified in the House report.

The managers have provided planning funds for a proposed educational center to be constructed at Fort Osage in Missouri. The managers want to ensure that the scope and cost of the project are appropriate, given the visitation at the site, and that the project includes a significant private cost share. The managers urge the project sponsors and the Service to provide the House and Senate Committees on Appropriations with a final plan for construction, which scales the project appropriately and which provides a significant non-Federal cost share before additional funds will be provided.

The Administration has requested funding for the construction of security structures at the Washington Monument, and Lincoln and Jefferson Memorials in Washington, D.C. The Congress has previously provided language that would expedite the contracting process for these facilities so that construction could begin in the late summer of 2002 in accordance with the schedule provided by the Service. The managers now understand that the planning, review and clearance processes have delayed the start of construction for the Washington Monument and Jefferson Memorial projects (by a full year). As a result of these delays, funds requested for these projects are no longer needed in fiscal year 2003. The managers direct the Administration to include funding for these projects in the fiscal year 2004 construction request.

The managers are aware of the partnership project between the National Park Service and the Valley Forge Historical Society to contract and operate a National Center for the American Revolution at Valley Forge National Historical Park. Congress authorized the Secretary of the Interior to enter into an agreement for this partnership in Public Law 106–86, but made no financial commitment to the construction of the project.

While the partnership may provide opportunities to improve the care of important Revolutionary War era collections and enhance the educational opportunities afforded to visitors at the park, the planning for this facility must proceed cautiously. The project sponsors need to recognize the budgetary constraints facing all levels of government, as well as recent decreases in philanthropic giving. With these concerns in mind, the managers expect the National Park Service to report to the House and Senate Committees on Appropriations on a reasonably scaled vision for the Center, with commitments for non-Federal cost share, no later than June 1, 2003. Future funding for this project is unlikely if the Service does not prioritize it as part of its five-year line-item construction program.

Within the funds provided for General Management Planning, the Service is directed to complete the EA for the Mt. Vernon Trail and a new area study for Great Falls National Park and to support the Harpers Ferry National Historic Park general management plan consistent with Senate guidance.

The managers have provided $7,500,000 to enhance the capacity of the Service to execute the infrastructure program. The managers expect that not more than 50 percent of these funds be used to hire staff in the regional offices. The balance should be used for contractor support. A report on the use of these funds should be provided to the House and Senate Committees on Appropriations.

The managers are concerned with the number of partnership projects pursued by the National Park Service, but not prioritized by the agency nor considered in the establishment of the five-year line-item construction program. While partnerships are important in enhancing the public appreciation and understanding of the mission of all of the agencies funded in the Interior appropriations bill, the Federal commitment associated with such partnerships cannot be considered separate and apart from other demands for funding.

The managers are troubled by the growing number of partnership projects for which the non-Federal partner pursues funding through the appropriations process. Increasingly, if these partnership projects receive funding, it will be as a trade-off against priorities identified in the agency budget request. Thus, it is important that agencies evaluate the priority these partnerships receive vis-à-vis the program requirements prioritized in the budget request, as well as the vast needs that don't make it into the budget each year.

The President and the Congress have made a significant commitment to addressing the deferred maintenance backlog of the National Park Service, and every public dollar pursued for partnership projects involving new facilities means one less dollar dedicated to reducing the backlog. In addition, funding for the operational requirements of the National Park Service continues to be a significant concern, and pressure to provide increased funding for large construction investments will result in reduced capacity to address operational needs. If partnership projects are a priority for the Administration, then consideration should be given to adjusting the priority-setting process for line-item construction to allow for their competition along with deferred maintenance and other projects.

The funds provided for equipment replacement include funds to implement PMIS package #90252 regarding snow removal and related activities for Going-to-the-Sun Road at Glacier National Park. The managers expect that $500,000 will be used for replacement boats at Isle Royale National Park.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The conference agreement rescinds the contract authority provided for fiscal year 2003 by 16 U.S.C. 4601–10a as proposed by both the House and the Senate.

LAND ACQUISITION AND STATE ASSISTANCE

The conference agreement provides $172,468,000 for land acquisition and State assistance instead of $253,099,000 as proposed by the House and $204,005,000 as proposed by the Senate. Funds should be distributed as follows:

Area (State)	*Amount*
Big Thicket National Preserve (TX)	$3,000,000
Black Canyon NP (CO)	300,000
Chickamauga/Chattanooga NMP (TN)	1,030,000
Chickamauga/Chattanooga NMP (Moccasin Bend/Sarodino) (TN)	1,300,000
Delaware Water Gap Nat'l Recreation Area (NJ/PA)	4,000,000
Gauley River NRA (WV)	1,750,000
Great Sand Dunes Nat'l Mon and Preserve (CO)	7,000,000
Gulf Islands National Seashore (MS)	6,000,000
Hawaii Volcanoes National Park (HI)	8,500,000
Ice Age NST (WI)	2,000,000
Indiana Dunes National Lakeshore (IN)	250,000
Keweenaw Nat'l Historic Park (MI)	600,000
Little Rock Central HS Nat'l Historic Site (AR)	130,000
Missouri National Recreational River (SD)	1,000,000
Mojave National Preserve (CA)	1,000,000
Point Reyes National Seashore (CA)	1,500,000
Richmond National Battlefield Park (VA)	2,000,000
Saguaro National Park (AZ)	2,320,000
Santa Monica Mountains NRA (CA)	1,000,000
Shenandoah Valley Battlefields Nat'l Historic District (VA)	2,000,000
Sleeping Bear Dunes National Lakeshore (MI)	1,000,000
South Florida Restoration (grant to state of FL)	15,000,000
Timucuan Ecological and Historic Preserve (FL)	2,000,000
Valley Forge National Historic Park (PA)	2,500,000
Western Arctic National Parklands (AK)	1,200,000
Wrangell-St. Elias Nat'l Park and Preserve (AK)	500,000
Use of carryover balances	−15,000,000
Subtotal	53,880,000
Acquisition Management	12,588,000
Emergencies/Hardships	4,000,000
Inholdings/Exchanges	4,000,000
Stateside Grants	95,000,000
Stateside Administration	3,000,000
Total	$172,468,000

The managers have not provided funding for Ebey's Landing NHR and Piscataway Park because there are presently no options to purchase land. The managers will be pleased to consider future funding requests.

The Secretary should acquire the Bayliss property at Cedar Creek and Belle Grove NHP that is now owned by the Cedar Creek Battlefield Foundation for an amount equal to the balance due on the current deed of trust on the property but no more than $368,000. The Secretary shall use funds from the National Park Service's hardship account to acquire the property.

Upon completion of a new appraisal of Cat Island, MS, the Service should complete the first phase of the purchase using funds provided for Gulf Islands National Seashore, together with other available funds if necessary.

The managers are aware of the concerns of the residents of the 8.5 Square Mile Area regarding the plan to implement section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8), called ''Alternative 6D.'' This plan requires the acquisition of additional homes. To minimize disruption in the lives of these residents and to make them whole again, if the United States must take their property to proceed with implementation of Alternative 6D, the conference agreement allows the Corps to acquire additional residential property only if these residents are offered the opportunity to relocate to comparable land

within the 8.5 Square Mile Area. This means that the residents of the 8.5 Square Mile Area who choose to relocate within that area must be offered land of equal or greater size, suitable under all applicable land use regulations for use that is the same as the actual use of the land on which they currently reside and eligible for all necessary permits required for such use. The managers also expect the financial assistance provided to such residents will allow them to build a replacement home of equal size, including costs of moving and temporary living arrangements during a reasonable period of time for design and construction. The managers understand that Federal funding in the amount of $6,000,000 has previously been appropriated and provided to the South Florida Water Management District for the purpose of acquiring replacement residential property. The language in the conference agreement also clarifies that this directive is not intended to stop the Alternative 6D project from moving forward.

The language, specifically the text of subsection (b) (1), does not require the Corps of Engineers or the non-Federal sponsor to complete a relocation before completing a land acquisition, once the offer required by subsection (b) (1) is made. Such offers and land acquisitions may be made and completed in accordance with a schedule determined by the Corps of Engineers and the non-Federal sponsor and need not proceed sequentially.

ADMINISTRATIVE PROVISIONS

The managers have retained the House language regarding the United Nations Biodiversity Convention.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides $925,287,000 for surveys, investigations, and research instead of $928,405,000 as proposed by the House and $914,617,000 as proposed by the Senate.

There is a decrease below the House for the national mapping programs of $1,000,000 for Internet access.

The managers recognize the need to implement The National Map for the Nation's urban areas. These urban areas are the home to more than 160 million citizens, located in areas subject to many natural hazards, such as coastal storms and wildland fires. The managers believe it is important to have up-to-date information available to Federal, State, and local governments, the private sector, and the public for emergency response. The managers recommend that the Survey continue its efforts to develop and implement The National Map, keeping the House and Senate Committees on Appropriations apprised of its progress and future plans through its budget submissions.

Changes to the House for geology programs include increases of $1,000,000 for volcanic hazard equipment in Shemya, Alaska, $1,500,000 for the minerals at risk program which completes this project, $500,000 for the coastal erosion program, North Carolina, and decreases of $500,000 for the coastal program, $299,000 for Lake Mead/Hoover Dam, $500,000 for the cooperative geological mapping program, $1,200,000 for EPCA studies, and $500,000 for the geothermal program.

Changes to the House for water resources include increases of $200,000 for the Berkeley Pit study in Montana, $299,000 for the Lake Champlain toxic materials studies, $500,000 for Hawaiian water monitoring, $220,000 for an algae bloom study in Hawaii, and $195,000 for the Noyes Slough study in Alaska, and decreases of $1,000,000 for the Mexico border initiative, $580,000 for the Long-Term Estuary Group, $400,000 for the Water Resources Research Institutes, $500,000 for toxic substances, and $105,000 for the Southern Maryland aquifer study.

Within the funds provided for water resources, $1,000,000 is earmarked for the Long-Term Estuary Assessment program.

Funds have not been included for the Rathdrum Prairie/Spokane Valley aquifer study as proposed by the Senate. The managers are supportive of the project generally, but understand that the required State or local matching funds have not yet been secured nor has an agreement been reached among all interested parties, including the Survey, detailing the scope and collaborative nature of the work. The managers would be willing to reconsider the project at a future date provided these issues are resolved.

Increases above the House for biological research include $750,000 for the continuation of the Mark Twain National Forest mining study, $180,000 for the Yukon Flats salmon study, $500,000 for the Pallid Sturgeon study, $100,000 for the terrapin study in Maryland, $1,000,000 for a DNA bear study in Montana, $300,000 for a water study at the Leetown Science Center, $500,000 for Lake Tahoe decision support and decreases of $800,000 for the fire science program, $500,000 for amphibian research, $1,000,000 for NBII nodes, $500,000 for the cooperative research units uncontrollable costs, and $18,000 for travel and transportation.

The managers have supported the establishment of the NBII to improve access by Federal agencies, States, universities, and others to biological data and to promote information sharing. The managers have provided significant funding increases to NBII in recent years but are concerned about an apparent lack of direction and budget accountability. These concerns need to be resolved before additional funding increases can be considered.

Therefore, the managers direct the Survey to prepare a strategic plan outlining the prioritized vision for the network including details and a time line on all new nodes, expansions of existing nodes, the costs associated with each node, and all other projects that are part of the NBII program. The plan should explicitly address national and international objectives.

The plan should address how the existing and planned network relates to the Survey's overall strategic and programmatic goals for enhanced data sharing. The Survey should provide information on the potential for cost sharing and how NBII relates to existing, non-Federal data networks such as Natureserve. As part of the strategic planning process, the managers would like to see peer-review comments from leading biologists and informatics specialists that are not associated with the current NBII partnership.

Finally, the report should show accomplishments to date for each node, listing national and international accomplishments, a list of partners involved, and how each accomplishment supports the biological goals for the Survey and the Department. The report should specifically address which NBII accomplishments support USGS science centers and Interior land management agencies. This information should be provided to the Committees by April 30, 2003.

There is a decrease below the House for science support of $1,635,000 for accessible data transfer.

Changes to the House for facilities include an increase of $375,000 for the Leetown Research Center expansion, and a decrease of $200,000 for the Tunison laboratory.

The managers support strongly Survey partnerships with coalitions of institutions that maintain a strong emphasis on collaborative research, Federal-State partnerships, and public-private partnerships. Wherever possible, the managers encourage the Survey to co-locate at these institutions when this furthers the goals of the Survey, the Department, and the Administration.

The managers encourage the Survey and the General Services Administration (GSA) to continue to work towards completion of a satisfactory plan for relocating the Survey's Western programs to more adequate space. They are aware that one of the most promising options is a 30-year build-to-suit lease for facilities located on land at the University of California Santa Cruz. The managers believe that GSA and the Survey should try to reach agreement on the lease if it is in the best interest of the Survey, the science programs, and is a cost effective option.

ADMINISTRATIVE PROVISIONS

The managers have made technical changes to the bill language proposed by the House to make it easier for the Survey to co-locate its facilities.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

The conference agreement provides $165,321,000 for royalty and offshore minerals management instead of $164,721,000 as proposed by the House and $164,322,000 as proposed by the Senate.

Changes to the House for royalty and offshore minerals management include increases of $800,000 for the Center for Marine Resources, and $800,000 for the Marine Mineral Technology Center in Alaska, and a decrease of $1,000,000 for the information management program.

The managers have again provided $1,400,000 to the Offshore Technology Research Center to perform critical mission research for MMS through the cooperative agreement dated June 18, 1999.

Within the funds provided for royalty and offshore minerals management $150,000 is earmarked for the Alaska Whaling Commission.

OIL SPILL RESEARCH

The conference agreement provides $6,105,000 for oil spill research as proposed by both the House and the Senate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement provides $105,367,000 for regulation and technology as proposed by the House and the Senate. Funding for the activities and budget instructions should follow the House recommendation. The managers understand that the administration's proposal to give a special allotment of grants to West Virginia is no longer needed. Instead, the allocation of grants to States should follow the normal methodology.

ABANDONED MINE RECLAMATION FUND

The conference agreement provides $191,745,000 for the abandoned mine reclamation fund as proposed by the Senate instead of $184,745,000 as proposed by the House. Funding for the activities and budget instructions should follow the Senate recommendations. The managers have also included the Senate proposed bill language included in previous years concerning certain aspects of the State of Maryland program.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

The conference agreement provides $1,857,319,000 for the operation of Indian programs instead of $1,859,064,000 as proposed by the House and $1,855,635,000 as proposed by the Senate.

Decreases below the House for tribal priority allocations include $1,120,000 for new tribes and $2,000,000 for welfare assistance.

Increases above the House for other recurring programs include $2,000,000 for tribally controlled community colleges, $50,000 for Western Washington Bolt, $15,000 for Great Lakes resource management, $100,000 for the Alaska Sea Otter Commission, $800,000 for the Bering Sea Fisherman's Association, $146,000 for the bison program, $350,000 for the Chugach Regional Resources Commission, and $320,000 for the upper Columbia River tribes, and decreases of $2,000,000 for ISEP formula funds, $1,000,000 for student transportation, $1,900,000 for facilities operation and maintenance, $4,000,000 for administrative cost grants, and $441,000 for the timber, fish and wildlife program.

The funding increase included for the Chippewa/Ottawa Resource Authority is to be allocated equally between the Little Traverse Bay Band of Odawa Indians and the Little River Band of Ottawa Indians.

Increases above the House for non-recurring programs include $1,500,000 for the distance learning program in Montana, $750,000 for the Rural Alaska fire program, $50,000 for the North Dakota Department of Agriculture's fire assistance program in Sioux County, and $350,000 for attorney fees, and decreases of $200,000 for the Navajo/Hopi settlement program and $314,000 for the endangered species program.

Increases above the House for special programs and pooled overhead include $200,000 for the Law Institute for American Indians, $100,000 for the United Sioux Tribes Development Corporation, $500,000 for the Alaska native aviation training program, $1,000,000 for the Yuut Elitnavuviat learning center, $1,000,000 for the Western Heritage Center Distance-Learning and Training Program, and $2,000,000 for detention center staffing.

The managers do not understand the disparate treatment of Crownpoint Institute of Technology and the United Sioux Tribes Technical College related to contract support. Unless there is an objection by the Navajo Nation to Crownpoint being treated as a tribal organization, the managers expect the Bureau to provide this funding under a P.L. 93–638 contract and include contract support.

The managers direct the Bureau to develop a study dealing with child abuse and child welfare. This study should detail the adverse effects of child abuse on American Indians and Alaska natives. As part of the study the Bureau should provide recommendations for reducing incidents of child abuse including the potential for developing cost-shared pilot projects with tribal organizations, States, and non-profit organizations. The Bureau should provide this study to the Committees by April 30, 2003.

The managers do not concur with the Senate report language directing the Bureau to establish a service area for the Samish Indian Nation. Currently this issue is being litigated, and the Department of the Interior is in settlement discussions with the tribe. The managers believe that this process is the appropriate avenue for resolving these issues.

Bill language has been included under operation of Indian programs to allow the use of ISEP contingency funds to cover the expenses of negotiated rulemaking required by the No Child Left Behind Act.

CONSTRUCTION

The conference agreement provides $348,252,000 for construction as proposed by the Senate instead of $345,252,000 as proposed by the House.

The managers have provided a $3,000,000 increase above the House for the tribal school construction demonstration program.

Language has been included under Title I general provisions authorizing a tribal school construction demonstration program through fiscal year 2007.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The conference agreement provides $60,949,000 for Indian land and water claim settlements and miscellaneous payments to Indians as proposed by the House instead of $57,949,000 as proposed by the Senate.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The conference agreement provides $5,493,000 for the Indian guaranteed loan program as proposed by the House and Senate.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The conference agreement provides $76,217,000 for assistance to territories instead of $73,217,000 as proposed by the House and $75,217,000 as proposed by the Senate. The managers have agreed to Compact impact assistance funding out of the technical assistance activity of $3,000,000 for Hawaii and $1,000,000 for Guam. The managers have also included the $1,000,000 recommended by the House for U.S. Virgin Islands court mandated infrastructure needs and $1,000,000 for the Prior Service Trust Fund. The managers agree with the House direction to the Interior Department concerning a new, long-term solution to the Prior Service Trust Fund financing problem and with Senate direction for a Federal-local financing plan for the U.S. Virgin Islands. This latter report should be submitted by April 30, 2003. The managers also direct that the CNMI local matching requirement for fiscal year 2003 capital improvement grants be waived due to the extensive damage caused by super-typhoon Pongsona.

COMPACT OF FREE ASSOCIATION

The conference agreement provides $20,985,000 for the Compact of Free Association instead of $21,045,000 as proposed by the House and $20,925,000 as proposed by the Senate. This includes a total of $1,631,000 for Enewetak support. The increase above the request is for repairs to the shipping vessel which provides food to Enewetak.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement provides $72,427,000 for departmental management as proposed by the Senate instead of $57,533,000 as proposed by the House. Changes to the House include increases of $15,000,000 to restore funds cut on the House floor, $400,000 for Departmental Direction and a decrease of $506,000 for Central Services.

The managers encourage the Federal partners responsible for the Great Lakes Visitor Center, WI, to increase funding for the center in fiscal year 2003, especially for important initiatives such as its environmental education program.

The conference agreement includes bill language under ''Department of the Interior, General Provisions'', permitting the use of Departmental Management funds to pay for shortfalls at the Midway Atoll National Wildlife Refuge.

The managers direct the Secretary to release a plan for assisting States, Federal agencies, and tribes managing chronic wasting disease in wild and captive cervids within 90 days of enactment of this Act.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The conference agreement provides $47,773,000 for the office of the solicitor as proposed by the Senate instead of $47,473,000 as proposed by the House.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides $36,239,000 for office of inspector general, the same as the House and the Senate.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides no funds for salaries and expenses of the National Indian Gaming Commission as proposed by the Senate instead of $2,000,000 as proposed by the House.

Language has been included under Title I general provisions increasing the fees available to the National Indian Gaming Commission from $8,000,000 to $12,000,000 beginning in fiscal year 2004.

The Commission is directed to consult with tribal governments on both the development, pursuant to section 18 of the Indian Gaming Regulatory Act (25 U.S.C. 2717), of a new fee schedule resulting from increasing the fee cap from $8,000,000 to $12,000,000, and on the regulations published at 67 Federal Register 41166 (June 17, 2002). The managers concur that not more than $120,000 of the funds available to the Commission be used for this consultation process.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

The conference agreement provides $141,277,000 for Federal trust programs as proposed by the House instead of $151,027,000 as proposed by the Senate.

The managers once again express their reservations about funding for the historical accounting project. The managers have provided an increased level of funds over the fiscal year 2002 enacted level for historical accounting. However, the managers remain very concerned about appropriating hundreds of millions of dollars for this project at the expense of other high priority programs in this bill, including other Indian programs. The managers believe that it is more important to fix prospectively the trust systems thereby allowing the Secretary to continue to meet her trust and fiduciary responsibilities to Indian country.

The managers have modified the bill language for the Office of Special Trustee for American Indians noting that of the funds provided $15,000,000 is for the historical accounting.

INDIAN LAND CONSOLIDATION

The conference agreement provides $7,980,000 for Indian land consolidation programs as proposed by the House instead of $10,980,000 as proposed by the Senate.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The conference agreement provides $5,538,000 for the natural resource damage assessment fund as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

The conference agreement retains language proposed by the Senate regarding the transfer of an aircraft to Kane County, UT.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The conference agreement includes sections 101 through 111, which were identical in both the House and the Senate bills.

The conference agreement includes the text of the following sections in the House bill, which contained identical text in the Senate bill, but had different section numbers in the Senate bill. The House section numbers were 115, 116, 117, 118, 119, 121, 122, 123, and 124.

The conference agreement retains language proposed in section 112 of the House bill, which prohibits the National Park Service from reducing recreation fees for non-local travel through a park unit.

The conference agreement retains language proposed in section 113 of the House bill permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians. The Senate had a similar provision.

The conference agreement modifies House section 114 regarding retention of proceeds from operations at Fort Baker.

The conference agreement retains language proposed in section 125 of the House bill authorizing funds for Shenandoah Valley Battlefield National Historical District and Ice Age National Scenic Trail to be transferred to a State, local, or other governmental land management entity for acquisition of lands.

The conference agreement retains language proposed in section 126 of the House bill prohibiting the closure of the lunchroom at Carlsbad Caverns National Park. The Senate addressed this issue in Title III.

The conference agreement retains language proposed in section 127 of the House bill preventing demolition of a bridge between Ellis Island and New Jersey.

The conference agreement retains language proposed in section 128 of the House bill prohibiting clothing optional usage at Canaveral National Seashore.

The conference agreement retains language proposed in section 129 of the House bill permitting the expenditure of funds for incidental expenses related to the National Wildlife Refuge System Centennial. The Senate had no similar provision.

The conference agreement retains language in section 130 of the House bill authorizing the Park Service to enter into a cooperative agreement with Capital Concerts.

The conference agreement retains language proposed in section 131 of the House bill requiring the Department of the Interior to provide a summary of the Ernst and Young report on the historical accounting of the named plaintiffs in Cobell v. Norton. The Senate had no similar provision.

The conference agreement modifies language proposed in section 132 of the House bill limiting compensation for the Special Master and Special Master-Monitor appointed by the court in Cobell v. Norton to not more than 200 percent of the highest Senior Executive Service rate of pay. The modification changes the name of Court Monitor to the Special Master-Monitor. The Senate had no similar provision.

The conference agreement retains language proposed in section 133 of the House bill requiring the Special Trustee for American Indians to appoint new Advisory Board members. The Senate had no similar provision.

The conference agreement retains language proposed in section 134 of the House bill allowing the Secretary of the Interior to pay private attorney fees for employees and former employees named in connection with Cobell v. Norton. The Senate had no similar provision.

The conference agreement retains language proposed in section 135 of the House bill allowing the Interior firefighting Bureaus to engage in firefighting activities on non-Federal lands. The Senate had no similar provision.

The conference agreement retains language in section 136 of the House bill extending the deadline for submission of the report and termination of the Commission to create a National Museum of African American History and Culture.

The conference agreement retains language proposed in section 137 of the House bill, which allows funds for the National Museum of African American History and Culture to remain available until expended.

The conference agreement modifies language proposed in section 138 of the House bill requiring the U.S. Fish and Wildlife Service to implement a system of mass marking of salmonid stocks released from Federally operated or Federally financed hatcheries. The modification requires that the fish have a visible mark that can be readily identified by commercial and recreational fishers. The Senate had no similar provision.

The conference agreement retains language proposed in section 139 of the House bill naming the visitor center at the Bitter Lake National Wildlife Refuge in New Mexico as the ''Joseph R. Skeen Visitor Center''. The Senate had no similar provision.

Section 122—The conference agreement retains language proposed in section 120 of the Senate bill continuing the tribal school construction demonstration program through fiscal year 2007. The House had no similar provision.

The conference agreement does not include the text of section 123 as proposed by the Senate, which prohibited the use of funds to approve the transfer of lands in South Fox Island, Michigan.

Section 140—The conference agreement retains language proposed in section 124 of the Senate bill making permanent the contract authority for transportation at Zion NP, UT and Rocky Mountain NP, CO. The House had a one-year extension for Zion NP, UT, in section 120.

Section 141—The conference agreement retains language proposed in section 125 of the Senate bill removing grant restrictions in a heritage education park in Fairbanks, Alaska.

The conference agreement does not retain language proposed in section 126 of the Senate bill relating to a right-of-way for a pipeline for the Cadiz groundwater project.

Section 142—The conference agreement retains language proposed in section 127 of the Senate bill authorizing the use of previously appropriated funds to plan the John Adams Presidential Memorial.

Section 143—The conference agreement retains language proposed in section 128 of the Senate bill providing that funds appropriated and remaining available in the Construction (Trust Fund) Account of the National Park Service at the completion of all authorized projects shall be available for the rehabilitation and improvement of Going-to-the-Sun Road in Glacier National Park.

The conference agreement does not include language proposed in section 129 of the Senate bill directing the Park Service to make interim payments as part of the Glacier Bay compensation program.

Section 144—The conference agreement retains language proposed in section 130 of the Senate bill dealing with grants under the Defense Conversion, Reinvestment, and Transition Act of 1992. The House had no similar provision.

Section 145—The conference agreement retains language proposed in section 131 of the Senate bill dealing with a modification to a previous Act with respect to taking certain lands into trust in Kansas.

Section 146—The conference agreement retains language proposed in section 132 of the Senate bill modifying a provision from a previous Act conveying land from the Bureau of Land Management to the city of Mesquite, Nevada.

Section 147—The conference agreement modifies language proposed in section 133 of the Senate bill permitting the transfer of previously appropriated construction funds for operations and maintenance at Midway Atoll National Wildlife Refuge. The modification permits the transfer of funds from Departmental Management, if necessary, to cover operational and maintenance shortfalls at the refuge. The House had no similar provision.

Section 148—The conference agreement retains language proposed in section 134 of the Senate bill changing the authority for a museum in Oklahoma from the Secretary of the Interior to the Director of the Institute of Museum and Library Services. The House had no similar provision.

Section 149—The conference agreement retains language proposed in section 135 of the Senate bill allowing advance payments to the Department's franchise fund. The House had no similar provision.

Section 150—The conference agreement retains language proposed in section 136 of the Senate bill authorizing $10,000,000 per year for six years, for restoration of historically black colleges and universities, and reducing cost share requirements.

Section 151—The conference agreement retains language proposed in section 137 of the Senate bill deeming the Record of Decision for the Trans-Alaska Pipeline right-of-way sufficient to meet NEPA requirements.

Section 152—The conference agreement retains language proposed in section 138 of the Senate bill expressing the Sense of the Congress with respect to flow rates in the Missouri River.

Section 153—The conference agreement modifies language proposed in section 139 of the Senate bill regarding treatment of monies in the abandoned mine reclamation fund. This provision allows the transfer of up to an additional $34,000,000 if the United Mine Workers Combined Benefit Fund has a deficit, but this section shall cease to have any force and effect after September 30, 2004.

Section 154—The conference agreement retains language in section 140 as proposed by the Senate, which raises the development ceiling for New Bedford Whaling National Historical Park.

The language proposed in section 141 of the Senate bill, extending the Quincy Library Group project, CA, authorization is addressed in Title III, section 338.

Section 155—The conference agreement retains language proposed in section 142 of the Senate bill modifying a Coastal Barrier Resources Act map for land in Virginia. The House had no similar provision.

Section 156—The conference agreement modifies language proposed in section 143 of the Senate bill regarding certain OCS leases in California. The modification changes the provision from a Sense of the Senate to a Sense of the Congress. The House had a similar provision in Title III general provisions.

The conference agreement does not retain language proposed in section 144 of the Senate bill requiring a study on communications towers and avian mortality.

The conference agreement modifies language proposed in section 145 of the Senate bill extending the authorization for the Strategic Petroleum Reserve; requiring the filling of SPR to capacity as soon as practicable; and amending legislation dealing with the Northeast Home Heating Oil Reserve. The language in the conference agreement is limited to a five-year extension of the SPR authorization. The House had no similar provision. The modified language is included in Title III, section 339 of this conference agreement.

Section 157—The conference agreement modifies language in section 146 of the Senate bill to provide authority to the Army Corps of Engineers to assist homeowners, that are being relocated because of the Modified Water Deliveries project, to relocate to comparable land within the 8.5 Square Mile

Area. The language also clarifies that this provision is not intended in any way to stop the alternative 6D project from moving forward. This issue is addressed in greater detail under National Park Service land acquisition.

Section 158—The conference agreement includes language prohibiting the study or implementation of a plan to drain Lake Powell.

Section 159—The conference agreement includes language raising the ceiling for fees by the National Indian Gaming Commission from $8,000,000 to $12,000,000 in fiscal year 2004.

Section 160—The conference agreement includes language establishing, as a unit of Chickamauga and Chattanooga National Memorial Park, the Moccasin Bend National Archaeological District.

Section 161—The conference agreement includes language authorizing a transfer of 1.7 acres of excess lands to the Lower Elwha Klallam Tribe.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

The conference agreement provides $251,685,000 for forest and rangeland research instead of $252,000,000 as proposed by the House and $247,804,000 as proposed by the Senate. Changes to project funding from the House bill include: an increase of $2,000,000 for Forest Inventory and Analysis (FIA), a decrease of $850,000 for the advanced housing research consortium, a reduction of $500,000 for adelgid and insect research in the east, an increase of $1,500,000 for sudden oak death research, an increase of $500,000 for the global climate change program, a decrease of $4,165,000 for fixed costs, an increase of $500,000 for invasive species research, $500,000 for the Joe Skeen Institute for Rangeland Restoration, and an increase of $200,000 for Baltimore, MD, urban watershed research.

The managers agree to the following more specific direction for the above items:

1. The managers provide $500,000 for the development of carbon sequestration rules and protocols as part of the Climate Change Initiative.

2. The managers direct $500,000 for expanded research in the control and management of pests and pathogens, including hemlock woolly adelgid, to the forest science laboratory at Morgantown, West Virginia. The managers expect these funds to address high priority work throughout the northeast.

3. The managers provide $200,000 to the Northeastern Research Station for high priority research associated with the Urban Watershed Forestry Research and Demonstration Cooperative in Baltimore, Maryland, as part of the program direction for Revitalizing Baltimore and the Baltimore Ecosystem Study.

4. The managers encourage the Forest Service to work with the Mississippi Institute for Forest Inventory in order to further the goals of the FIA program and the Institute.

5. The managers direct the Forest Service to prepare a strategic plan with a national focus that will demonstrate how the agency intends to address the spread of sudden oak death. This strategic plan should consider the proper balance between the allocation of research and eradication resources and how these resources can best be coordinated within the Forest Service as well as with other Federal, State, and local entities.

STATE AND PRIVATE FORESTRY

The conference agreement provides $286,574,000 for State and private forestry instead of $279,828,000 as proposed by the House and $297,472,000 as proposed by the Senate.

The conference agreement provides, as proposed by the House, $50,374,000 for Federal lands forest health management, $31,038,000 for cooperative lands forest health management, and no funding for the proposed emerging pest and pathogens fund. The managers agree with the concept of withholding some forest health funding from immediate distribution to address new problems that may emerge during the year, but the managers feel that far greater management efficiency and flexibility will exist if a new account is not created. The agreement includes bill language proposed by the House which clarifies that funding in this account should be used for the treatment of invasive or noxious plants. The managers have moved the $300,000 proposed by the Senate for leafy spurge control in the Dakota Prairie grasslands to the national forest system account. The cooperative lands forest health management activity includes the $300,000 proposed by the Senate for Vermont forest monitoring and a total of $1,700,000 for sudden oak death control. These funds should be allocated primarily to States with the most severe outbreaks of sudden oak death. Funding proposed by the Senate under this heading for sudden oak death research has been moved to the forest and rangeland research account.

The conference agreement includes $25,653,000 for State fire assistance instead of $25,353,000 as proposed by the House and $25,853,000 as proposed by the Senate, the change from the House proposal being an increase of $300,000 for Cook Inlet Tribal Council, AK, spruce bark beetle management. The agency shall follow Senate direction concerning distribution of these funds. The agreement also includes $5,040,000 for volunteer fire assistance as proposed by both the House and the Senate. The conference agreement also includes additional funds for State fire and volunteer fire assistance as part of the national fire plan funding within the wildland fire management account.

The conference agreement includes $32,221,000 for forest stewardship as proposed by the Senate instead of $36,898,000 as proposed by the House. Changes from the House proposal are increases of $250,000 for the Chesapeake Bay program and $300,000 for Utah forestry education; there is a general decrease of $5,227,000. The managers note that an additional $20,000,000 is available for similar activities in the forest land enhancement program (FLEP) from mandatory farm bill funds. The managers direct the Forest Service to show clearly in all future budget justifications within the text for State and private forestry how mandatory funding for FLEP, provided in the farm bill, will be allocated and how this funding relates to forest stewardship activities.

The conference agreement includes $68,827,000 for the forest legacy program instead of $60,000,000 as proposed by the House and $74,000,000 as proposed by the Senate. The conference agreement retains bill language proposed by the House requiring notification to the Appropriations Committees when the Forest Service makes funds available for specific forest legacy projects. The conference agreement also includes bill language, modifying language proposed by the House, stipulating that forest legacy grants must be for specific projects or for specific tasks undertaken when a State joins the program. In addition, the conference agreement has modified the bill language proposed by the House concerning the need for a 25% cost share of the total value of each project. The managers concur that the Forest Service should require that a minimum 25% cost share must be secured over the life of each grant.

The conference agreement also includes bill language, which gives the State of Maine until the January 31, 2004 to complete the West Branch project. If this project is not completed by this date, the entire amount previously appropriated for this project, $20,013,145, shall be transferred to the Forest Service wildland fire management account and be made available for the highest national priority rehabilitation and restoration projects. The managers expect that the final West Branch project will include a substantial fee ownership for the State of about 47,000 acres and that there will also be completed a conservation easement to the Forest Society of Maine, or similar group, of about 282,000 acres.

The conference agreement directs the Forest Service to follow the House proposed direction for the forest legacy program, with the following exceptions:

1. The managers concur with the House language requiring the Forest Service to submit a five-year legacy program strategy but the strategy should articulate the forest legacy program's national goals, objectives, performance measures, and the issues and trends affecting forests in regions across the country. This strategy should also provide a national perspective for the forest legacy program and assist States in contributing to national and regional conservation needs. The managers further direct that the Forest Service revise and finalize its Forest Legacy Program Implementation Guidelines by June 30, 2003. The revised guidelines should include definitive guidance regarding project definition, cost shares, monitoring, appraisals, and other areas of concern noted in the Committee's report, dated June 14, 2002.

2. The managers are concerned with the manner in which the cost share is calculated for legacy projects. Rather than requiring a 25% cost share for each project before a grant may be awarded as proposed by the House, the managers concur that the Forest Service should require that a minimum of 25% of the total cost share of each project should come from non-Federal sources over the course of the grant period and that each project grant must document the total value of the project's non-federal cost share. The Forest Service shall strictly comply with existing Office of Management and Budget Circulars concerning matching requirements for federal grants.

3. The managers recognize that given the often complex and lengthy nature of negotiations for the purchase of conservation easements, the agency may submit a request for project funding in its budget justification, which only specifies a geographical area rather than a specific tract. However, the managers will not appropriate funds for such projects until the agency has identified the specific tracts to be purchased.

4. The managers concur that, to the greatest extent possible, legacy easements should provide for public access but the managers also recognize that there may be reasons why such access is impractical because of natural resource or public safety concerns. The managers expect the agency to indicate to the Committees in advance when an easement will not provide for public access and the reasons why such access is inappropriate.

5. The managers are concerned that forest legacy program managers may not be able to use the Forest Service's official financial accounting system, the Foundation Financial Information System (FFIS), to manage forest legacy funds due to the system's limitations. The managers direct the Forest Service to ensure that FFIS contains accurate and complete expenditure information for forest legacy grants and that it supports program management information requirements. The managers concur with the House proposal concerning the need to track the

status of individual projects, to require separate grants for each project, and to use a single grant authorization and payment system for the forest legacy program. However, the managers understand that the FFIS system may not be able to manage information in this fashion. If so, the managers expect the agency to develop and have fully operational, an independent system which is capable of performing these functions by the close of the fiscal year.

6. The conference agreement includes new State start-up funds only for Alaska and Idaho, although the House and Senate Committees on Appropriations will carefully consider other States for inclusion in the program in future years.

The conference agreement includes the following distribution of funds for the forest legacy program:

State	Project	Conference
AK	New State start-up	$500,000
AL	Perdido River	2,000,000
CO	Spruce Mountain Ranch	1,875,000
CT	Stone House Brook Project	1,100,000
DE	Green Horizons, phase 2	1,000,000
GA	Pine Mountain	4,000,000
GA	Sheffield	100,000
HI	McCandless Ranch	1,300,000
ID	New State start-up	500,000
IA	Yellow River Forest Project	700,000
IL	Coon Creek Woods	95,000
IL	Kyte River	305,000
IN	Mt. Tea Ridge	1,600,000
MA	Karner Brook Ridge	305,000
MA	Camp Hi-rock	500,000
MA	Eagleville Pines	835,000
MD	Pintail	150,000
MD	Deer Creek	150,000
ME	Leavitt Plantation	600,000
ME	West Branch, phase 2	2,500,000
MN	North Duluth, phase 1&2	410,000
MT	Schiemann	600,000
MT	Thompson Fisher, phase 4	4,000,000
NC	RPM project	1,500,000
NH	Connecticut Lakes Headwaters	8,000,000
NJ	Lake Gerard, New Jersey Highlands	3,000,000
NM	Legunas Bonitas	1,500,000
NY	East Branch Fish Creek, phase 2	1,500,000
OR	South Eugene Hills	1,062,000
PR	Rio Abajo North area, phase 2	500,000
RI	Weetamoe Woods, phase 2	250,000
RI	DuVal Trail Corridor	200,000
SC	Coastal Forest Ecosystem Restoration Initiative, phase 3	5,000,000
TN	Anderson—Tully	3,500,000
TN	McGlothin tract	800,000
UT	Castle Rock, phase 2	2,000,000
UT	Chalk Creek (Blonquist)	1,600,000
VA	Sandy Point	575,000
VA	Romine project	600,000
VT	Bull & Sable	2,600,000
WA	Skykomish River Landscape, phase 2	920,000
WI	Bad River Headwaters	3,450,000
WI	Baraboo Hills	1,000,000
Project Subtotal	64,682,000.	
Forest Service program admin. & AON Planning.	4,145,000.	
Total, Forest Legacy	$68,827,000.	

The conference agreement includes $36,235,000 for the urban and community forestry program as proposed by the House instead of $37,750,000 proposed by the Senate. Changes from the House proposal for this activity include decreases of $100,000 from northeast PA community forestry and $500,000 from the Chicago greenstreets program, and increases of $350,000 for Cook County forest preserve, IL, $200,000 for Milwaukee, WI, and $250,000 for Baltimore, MD urban watershed activities and a $200,000 general decrease. Senate proposed funding for Baltimore urban watershed research has been moved to the forest and rangeland research account.

The conference agreement includes the following distribution of funds for the economic action programs:

Program/Project	*Conference*
Economic Recovery Base Program	$5,000,000
Rural Development Base Program	4,000,000
Forest Products Conservation & Recycling	1,300,000
Wood In Transportation	1,000,000
Special Projects:	
Allegheny NF Area Regional Tourism, PA	200,000
Arid Lands Research Consortium	300,000
Cradle Of Forestry Conservation Ed, NC	590,000
Cradle Of Forestry Sustainability Study, NC	150,000
Four Corners Sustainable Forestry	1,000,000
Gonzaga Un. Inland NW Natural Resources Research Center, WA	900,000
Hardwood Forestry Foundation	200,000
Institute Of Forest Biotechnology Risk Analysis, NC	150,000
KY Mine Waste Reforestation	1,000,000
Lake Tahoe Erosion Control Grants, CA NV	2,500,000
Little Sandy River, OR	1,000,000
NY City Watershed Enhancement	750,000
Univ. WA Landscape Management	200,000
Univ. WA & WA St. U. Extension Forestry	600,000
Kake Land Exchange, AK	1,000,000
Mountain Studies Institute, Co	500,000
Envir. Science And Public Policy Research Center, ID	500,000
Fuels In Schools Biomass, MT	500,000
Valdez Avalanche Control, AK	400,000
Wood Education & Resource Center, WV	2,700,000
Subtotal, Special Projects	15,140,000
Total, Economic Action	$26,440,000

The conference agreement includes $5,000,000 for the economic recovery program as proposed by the House and $4,000,000 for rural development through forestry, but does not establish specific regional allocations for the Pacific Northwest or the northeast-midwest as was proposed by the Senate. Rather, the Forest Service should carefully consider these regions when allocating grants in these activities. The conference agreement includes the bill language proposed by the Senate concerning a direct lump sum payment to the Kake Tribal Corporation, AK, but the funding total is $1,000,000. The funds provided to the City of Valdez for avalanche control work shall be in the form of an advance, direct lump sum payment. The funds for Little Sandy River shall be provided to Clackamas County, OR, to perform the work.

The conference agreement includes $4,996,000 for forest resource information and analysis as proposed by the Senate and $5,750,000 for the international forestry program.

NATIONAL FOREST SYSTEM

The conference agreement provides $1,362,299,000 for the national forest system instead of $1,370,567,000 as proposed by the House and $1,352,999,000 as proposed by the Senate. Funds should be distributed as follows:

Land management planning	$72,195,000
Inventory and monitoring	175,356,000
Recreation, heritage & wilderness	254,194,000
Wildlife & fish habitat management	133,806,000
Grazing management	40,850,000
Forest products	265,353,000
Vegetation & watershed management	190,944,000
Minerals and geology management	52,635,000
Landownership management	93,016,000
Law enforcement operations	80,800,000

Valles Calderas National Preserve, NM	3,150,000
Total	$1,362,299,000

The following discussion describes funding changes from the House passed bill.

1. The land management planning activity does not include a special allocation for the Black Hills National Forest, SD.

2. The inventory and monitoring activity includes an increase of $50,000 for Lake Tahoe basin adaptive management. Inventory and monitoring funding includes $6,200,000 for the Forest Inventory and Analysis program as directed by the House.

3. The recreation activity includes: $350,000 for environmental analysis of helicopter flights on the Tongass National Forest, Juneau district; an increase of $64,000 above the House proposal for the Carhart Wilderness Training Institute, bringing its total funding to $300,000; and a reduction of $664,000 for fixed costs. The managers direct the Forest Service to issue a contract for $350,000 with the City of Juneau, AK to prepare an environmental impact statement to identify ways to mitigate the impacts of helicopter charter flights in the Tongass National Forest on the community of Juneau, AK. The managers encourage the federal partners responsible for the Great Lakes Visitor Center, WI, to increase funding for the center in fiscal year 2003, especially for important initiatives such as its environmental education program.

4. The wildlife and fish habitat management activity includes the Senate proposed increase of $250,000 for the Batten Kill River, VT, and a reduction of $392,000 for fixed costs.

5. The grazing management activity is provided $40,850,000, an increase of $6,075,000 above the enacted level. This increase should be used to provide range monitoring and updated allotment management plan analysis.

6. The forest products activity includes the Senate proposed earmark of $4,000,000 for Tongass National Forest timber sales preparation out of base funds.

7. The vegetation and watershed management activity includes the general decrease proposed by the Senate of $3,790,000 and increases of: $1,450,000 for the Lake Tahoe basin; $305,000 for Mark Twain National Forest pine restoration, MO; $300,000 for Wasatch Canyon water quality initiative, UT; $135,000 for Monongahela National Forest hydrology study, WV; and $300,000 for leafy spurge control on the Dakota prairie, ND. The Forest Service is encouraged to work with the Canaan Valley Institute, WV, on watershed projects.

8. The minerals and geology activity is increased $1,000,000 above the House proposal and the landownership management activity is reduced $4,000,000 from the House proposal.

9. The law enforcement activity has a general decrease of $592,000. The managers encourage the Forest Service to evaluate carefully the funding for law enforcement activities on national forests in Georgia, especially areas impacted by high use.

10. The Valles Caldera National Preserve, NM, is funded at the Senate proposed level. The managers have provided all funding for the Valles Caldera in this account. The conference agreement has modified bill language proposed by the Senate concerning senior executive service salary for the chairman of the board of the preserve. The agreement now allows SES salary to continue only for the chairman of the board.

The $5,000,000 general reduction to this account passed on the House floor is not agreed to nor is the bill language (reducing and increasing funding) in order to make a change to grazing management. The agreement does include bill language allowing fund transfers to the BLM for cadastral surveys.

The conference agreement includes a total of $8,400,000 from all appropriation accounts for the Land Between the Lakes National Recreation Area, KY and TN.

The managers allow the Forest Service, upon notification to the House and Senate Committees on Appropriations, to reprogram national forest system funds within the Lake Tahoe basin.

The managers reiterate the House direction to the Forest Service to reestablish an active challenge cost share program. This program should be coordinated with the Department of the Interior's similar efforts.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $1,379,938,000 for wildland fire management instead of $2,013,449,000 as proposed by the House and $1,351,791,000 as proposed by the Senate. The managers note that the conference agreement also includes $636,000,000 under a separate division as proposed by the Senate to reimburse a portion of wildfire suppression costs incurred during emergencies in fiscal year 2002 rather than a contingent emergency appropriation of $500,000,000 as proposed by the House. The agreement also includes $420,699,000 for suppression operations as proposed by both the House and the Senate and $616,000,000 for preparedness, a reduction of $24,000,000 from the House recommendation.

The managers are concerned that the allocation of funds between preparedness and suppression operations mentioned above and in summary tables may not maintain the levels of readiness needed for public safety that were established in fiscal years 2001 and 2002. The managers also feel that decisive action is necessary to manage escalating fire suppression costs. An important component of reducing such costs is maintaining initial attack capability so that more fires can be contained before they escape and cause serious loss of life and property as well as natural resource damage. Accordingly, the managers direct the Forest Service to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2002, will, based on the best information available, result in lower overall firefighting costs. If the agency makes such a determination, the managers direct the Forest Service to adjust the levels for preparedness and suppression funding accordingly and these adjustments shall have the advance approval from the House and Senate Committees on Appropriations. The Forest Service should advise the House and Senate Committees on Appropriations in writing of their decision.

Because of the managers' continuing concern regarding fire suppression costs during major incidents, the Forest Service and the Department of the Interior are directed to contract with the National Academy of Public Administration for appropriate follow-up work to their study of 2002. The Departments should equally share the cost of the review and the review should be conducted forthwith.

OTHER WILDFIRE OPERATIONS

The conference agreement includes $343,239,000 for other fire operation activities instead of $452,750,000 as proposed by the House and $330,389,000 as proposed by the Senate. The allocation of this funding is as follows:

	Total
Hazardous Fuels	$228,109,000
Fire Facilities	1,850,000
Rehabilitation	7,124,000
Research & Development	21,427,000
Joint Fire Science	8,000,000
Forest Health Management federal	6,955,000
Forest Health Management cooperative	9,979,000
Economic Action	5,000,000
State and community fire assistance	46,555,000
Volunteer fire assistance	8,240,000
Total other wildfire operations	$343,239,000

The conference agreement includes $228,109,000 for hazardous fuels treatments as proposed by both the House and the Senate. Changes from the House proposed funding in this activity are increases of $550,000 for the Lake Tahoe basin, $1,000,000 for the Santa Fe watershed, NM, and a general decrease of $1,550,000. The conference agreement does not include specific bill language in this account as proposed by the House allowing transfer of funds to the Interior and Commerce departments for endangered species consultations. Rather, the agreement includes the similar Senate proposal under administrative provisions as discussed below.

The managers note that the Department of the Interior and the Department of Agriculture have begun full implementation of the 10–Year comprehensive strategy to reduce wildland fire risks. This strategy involves extensive collaboration with communities in the selection of hazardous fuels projects. In support of the strategy, the Departments have developed detailed criteria for the execution of such hazardous fuels reduction efforts. The managers feel that collaboration with communities and the use of criteria for project selection provide a suitable basis for planning the expenditure of funds, and accordingly do not concur with Senate report language requiring that seventy percent of hazardous fuels funds be used in the wildland urban interface.

Although the conference agreement does not include the bill language proposed by the Senate concerning the county partnership restoration program in AZ, NM and CO, the managers agree that this is an important program and that the Forest Service should continue to provide funding for it from the hazardous fuels allocation.

The conference agreement includes $1,850,000 for wildfire management facilities instead of $20,376,000 as proposed by the House and no funding proposed by the Senate. This allocation includes $1,200,000 for the Medford, OR airtanker base and $650,000 for the Pinhook, FL wildfire station. Specific House instructions on these two projects should be followed.

The conference agreement includes $7,124,000 for rehabilitation and restoration activities instead of $63,000,000 as proposed by the House and $6,124,000 as proposed by the Senate. This funding includes $2,500,000 for rehabilitation activities on the Apache-Sitgreaves National Forest, AZ, as recommended by the Senate.

The conference agreement includes $21,427,000 for research and development activities as proposed by the Senate instead of $27,265,000 as proposed by the House. Changes from the House proposal include an increase of $1,000,000 for the University of Montana landscape analysis center and $200,000 for the related University of Idaho project and a $7,038,000 general program decrease.

The conference agreement includes $6,955,000 for federal forest health activities and $9,979,000 for cooperative forest health activities. The managers expect the Forest Service to increase its forest health capabilities at Asheville, NC as described in the House report. The managers have included $46,555,000 for State and community fire assistance as proposed by the Senate instead of

the $58,000,000 House recommendation. Of the funds provided for State fire assistance, $4,200,000 shall be provided to the Municipality of Anchorage and $1,000,000 shall be provided to the Matanuska-Sustitna Borough to perform work in areas affected by the spruce bark beetle. The agency shall follow Senate direction with respect to the distribution of these two allocations.

The conference agreement includes $5,000,000 for economic action activities associated with the national fire plan instead of $12,500,000 as proposed by the House and no Senate funding. Volunteer fire assistance receives $8,240,000 as proposed by the Senate instead of $8,500,000 as proposed by the House.

CAPITAL IMPROVEMENT AND MAINTENANCE

The conference agreement provides $552,039,000 for capital improvement and maintenance instead of $572,731,000 as proposed by the House and $543,656,000 as proposed by the Senate. The conference agreement provides for the following distribution of funds:

Facilities Activity	
Maintenance	$93,926,000
Capital improvement	86,000,000
Projects:	
Allegheny NF, Buckaloons, PA	436,000
Allegheny NF, Webbs Ferry, PA	100,000
Angeles NF, Rubio Canyon, CA	1,000,000
Backcountry Hut repairs, AK	350,000
Black Kettle NG, collocation with NPS, OK	750,000
Cheoah RD office reconstruction, NC	1,250,000
Cherokee NF, Prince Gap, TN	300,000
Chugach NF, Cordova Visitor Center, AK	1,000,000
Cradle of Forestry, exhibits, NC	150,000
Dan. Boone NF, Cave Run lake planning, KY	400,000
Dan. Boone NF, Gladie Creek center, KY	250,000
Forestry Science Bldg repairs, Princeton, WV	315,000
Franklin County Lake, MS	2,400,000
Green Mountain NF, supervisor's office, VT	750,000
Grey Towers NHS, PA	500,000
Hardwood Technology Ct., Purdue Univ., IN	1,700,000
Institute of Pacific Islands Forestry, HI	1,000,000
Lee Ranger District Center, VA	500,000
Lewis & Clark Ctr., MT	284,000
Midewin Prairie NTP, rehab., IL	1,000,000
Monongahela NF facilities improvements, WV	1,340,000
Mystic Ranger District Station, SD	1,500,000
Nantahala NF, Cheoah Point Campground, NC	855,000
Old Stoney feasibility study, WY	300,000
Ouachita NF, Camp Ouachita, AR	1,000,000
Pisgah NF, Lake Powhatan cmpgrd rehab., NC	250,000
San Bernardino NF, Big Bear center, CA	550,000
San Bernardino NF, dogwood cmpgrd rehab., CA	1,500,000
Stanislaus NF, Emigrant impound. rehab., CA	80,000
Tongass NF, Log transfer facilities, AK	1,000,000
Warren Lab Rebuild, PA	900,000
Subtotal, Projects	23,710,000
Total, Facilities	$203,636,000

Roads Activity/Project	*Conference*
Maintenance	$153,358,000
Capital improvement	71,000,000
Projects:	
Highland scenic highway, Williams river, WV	1,300,000
Lake Tahoe basin, NV CA	700,000
Tongass NF improvements, AK	4,000,000
Umatilla NF, Touchet road rehab, WA	2,500,000
Subtotal, Projects	8,500,000
Total, Roads	$232,858,000

Trails Activity or Project	*Conference*
Maintenance	$36,664,000
Capital improvement	30,165,000
Projects:	
Continental Divide trail	1,000,000
FL National scenic trail	500,000
Ocoee River-Thunder Rock trail, TN	200,000
Pinhoti trail, AL & GA	400,000
Pike S.I. NF, Corely Mtn tunnel #3, CO	250,000
San Sophia Station, CO	500,000
Subtotal, Projects	2,850,000
Total, Trails	$69,679,000
Total, Capital Improvement & Maintenance	$552,039,000

The managers agree with the overall program direction for this account provided by both the House and the Senate. The conference agreement includes bill language proposed by the House continuing the authority to use funds for road decommissioning and includes Senate proposed language concerning a previous appropriation for improvements at Purdue University, IN, for the hardwood science center. The agreement also allows further direct payments to Purdue University for that project and to Cordova, Alaska for a shared visitor center. Furthermore, the managers reiterate that funding for the Chugach visitor center in Cordova, AK, shall be the final amount provided by the Forest Service, and the Forest Service should be given a share of the space proportional to its funding of the construction cost. As proposed by the House, the conference agreement does not provide any funding for the Juneau-ANM, AK, building and associated roads. The managers have included $400,000 for the Pinhoti trail in AL and GA; this funding should be approximately evenly split between the two States. The conference agreement includes a total of $5,000,000 for the Forest Service to address fish passage barriers. The Forest Service should follow the House direction on this activity, but since the funding has been reduced, this funding should focus on activities in regions 6 and 5, which would benefit salmonid fish.

LAND ACQUISITION

The conference agreement provides $133,815,000 for land acquisition instead of $146,336,000 as proposed by the House and $145,763,000 as proposed by the Senate. Funds should be distributed as follows:

Area (State)	*Amount*
Arapaho NF: Beaver Brook Watershed (CO)	$2,500,000
Beaverhead & Deerlodge NF's: Watershed, RY Timber (MT)	5,700,000
Black Hills NF (SD/WY)	3,000,000
Bridger-Teton NF (WY)	2,800,000
Chattahoochee NF: Georgia Mountains (GA)	3,200,000
Chequamegon & Nicolet NF's: W&S Waterways (WI)	2,000,000
Cherokee NF: Tennessee Mountains (TN)	4,400,000
Chippewa & Superior NF's: WildWater/WL (MN)	1,650,000
Cibola NF: La Madera (NM)	3,800,000
Columbia River Gorge NSA (OR/WA)	5,000,000
Daniel Boone NF: Assorted Inholdings (KY)	2,500,000
Flathead NF: Swan Valley (MT)	6,500,000
Florida National Scenic Trail (FL)	3,000,000
Francis Marion NF (SC)	2,000,000
Green Mountain NF: Recreation & Water (VT)	1,750,000
Hoosier NF: Unique Areas (IN)	1,500,000
Huron & Ottawa NF's: Great Lakes/Great Lands (MI)	2,500,000
Lake Tahoe Basin: Critically Sensitive Lands (CA/NV)	4,000,000
Lolo NF: Mt Sentinel (MT)	800,000
Los Padres NF: Big Sur Ecosystem (CA)	3,000,000
Mark Twain NF: Streams and Lake Frontages (MO)	1,750,000
Midewin Tallgrass Prairie (IL)	500,000
Monongahela NF (WV)	4,000,000
Multiple NFs: Chattooga W&SR /Chattooga River (SC/GA)	2,000,000
Multiple NFs: Greater Yellowstone Area (MT)	6,800,000
Multiple NFs: I–90 Corridor/ Plum Creek & Cascade Conser. Partner. (WA)	4,000,000
Multiple NFs: Idaho Wilderness/ W&S Rivers (ID/MT)	1,700,000
Multiple NFs: Lewis & Clark Nat'l Historic Trail (ID/MT)	500,000
Multiple NFs: Northwest W&S Rivers (OR/WA) (Illinois WSR & Skagit Rvr)	2,500,000
Multiple NFs: Pacific Crest Trail (CA/OR/WA)	3,000,000
Multiple NFs: Pacific Northwest Streams (OR/WA) (Siuslaw & Arrowleaf)	3,400,000
Ozark-St. Francis NF's: Ark Rivers & Streams (AR) (Stumpy Pt. & Lake Winona)	3,000,000
San Bernardino NF (CA)	2,000,000
Santa Fe NF: Gascon Point—Sawyer (NM)	5,500,000
Sawtooth NF: NRA Easement Program (ID)	1,000,000
Sumter NF: Broad River Corridor (SC)	4,600,000
Tahoe NF: North Fork American River—SPI (CA)	2,000,000
Talladega NF (AL)	700,000
Uinta & Wasatch-Cache NF's: Bonneville Shoreline Trail (UT)	2,265,000
Uncompahgre & San Juan NF's: Red Mountain (CO)	4,000,000
Wasatch-Cache NF: High Uintas (UT)	3,500,000
White Mountain NF (NH)	500,000
Willamette NF: Marion County/ Detroit Lake (OR)	500,000
Use of carryover balances	−7,000,000
Subtotal	114,315,000
Acquisition Management	15,000,000
Critical Inholdings/Wilderness Protection	3,000,000
Land Exchange Equalization Payment	1,500,000
Total	$133,815,000

The conference agreement includes bill language directing the use of $350,000 in prior year funds for Tongass National Forest land acquisition for a direct payment to the City of Juneau, AK.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The conference agreement provides $1,069,000 for the acquisition of lands for national forests special acts as recommended by both the House and the Senate.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The conference agreement provides an indefinite appropriation estimated to be $234,000 for the acquisition of lands to complete land exchanges as proposed by both the House and the Senate. The conference agreement also includes a minor change in bill language to clarify that the Forest Service has authority to use donated funds.

RANGE BETTERMENT FUND

The conference agreement provides an indefinite appropriation estimated to be $3,402,000 for the range betterment fund as proposed by both the House and the Senate.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The conference agreement provides $92,000 for gifts, donations and bequests for forest and rangeland research as proposed by both the House and the Senate.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The conference agreement provides $5,542,000 for management of national forest system lands for subsistence uses in Alaska as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The managers have retained bill language proposed by the Senate, which continues to prohibit the use of funds to abolish or move regional offices without Appropriations Committee approval. The conference agreement retains the House proposed bill language which allows funds to be transferred to the wildland fire management appropriation only after funds in that account are obligated. The agreement allows the Forest Service to advance up to $3,000,000 to the National Forest Foundation and the Foundation may use up to $400,000 for administrative costs. The agreement also includes the House proposal to make the language concerning the Pinchot Institute for Conservation valid through fiscal year 2007. The conference agreement includes language, which allows employees of the senior community service employment program to be considered federal employees while on the job at the Forest Service. The conference agreement also includes the Senate proposals on: the use of funds for law enforcement emergencies; the sale of facilities on the Green Mountain National Forest, VT; and the transfer of up to $15,000,000 to reimburse the Departments of the Interior and Commerce for endangered species act activities.

DEPARTMENT OF ENERGY

The managers have not agreed to the budget amendment, which would fund a new National Climate Change Technology Initiative at the expense of important, ongoing research in other areas. The House and Senate Committees on Appropriations will consider a reprogramming request for this new program should one be submitted and contain acceptable offsets.

CLEAN COAL TECHNOLOGY

(DEFERRAL)

The conference agreement provides for the deferral of $87,000,000 in previously appropriated funds for the clean coal technology program instead of $50,000,000 as proposed by the House and $70,000,000 as proposed by the Senate. These funds will become available on October 1, 2003, to complete the remaining projects in this program.

The managers agree that up to $15 million in prior year funds may be used for administration of the clean coal technology program in fiscal year 2003.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

The conference agreement provides $624,900,000 for fossil energy research and development instead of $664,205,000 as proposed by the House and $625,665,000 as proposed by the Senate. The numerical changes described below are to the House recommended level.

In central systems, there is a decrease of $3,000,000 in innovations for existing plants for mercury research and, in advanced systems, there are decreases of $4,500,000 for the integrated gasification combined cycle program and $1,700,000 for pressurized fluidized bed systems.

In distributed generation systems/fuel cells, there is an increase of $500,000 in advanced research for the electrochemical engineering program at Montana State University and decreases of $6,500,000 in innovative concepts for the solid state energy conversion alliance and $975,000 in novel generation for ramjet technology.

There is a decrease of $1,800,000 for carbon sequestration research and development.

In solid fuels and feedstocks, there is a $1,000,000 increase for the consortium for premium carbon products from coal and a $1,000,000 decrease for the testing of byproducts from coal-derived jet fuels. In advanced fuels research, there are increases of $500,000 for the C–1 chemistry program and $1,300,000 for the carbon products program and a decrease of $2,000,000 in advanced concepts for research on sulphur tolerant catalysts and cleanup technology for coal use in fuel cells.

In advanced research, there is an increase of $1,000,000 in coal utilization science for the Arctic Energy Office and decreases of $1,000,000 for university coal research and $500,000 for HBCU education and training.

In natural gas exploration and production, there is an increase of $3,000,000 for the Arctic Energy Office of which $2,000,000 is for Alaska gas pipeline research and $1,000,000 is for other research. For advanced drilling, completion, and stimulation, there is an increase of $1,500,000 for the Deep Trek program and a general reduction of $2,200,000. There is also a reduction of $1,000,000 for the National laboratory/industry partnership.

Other changes in natural gas technologies include an increase in emerging processing technology of $80,000 to complete the coal mine methane program and decreases of $1,300,000 for the gas hydrates program and $950,000 for the natural gas infrastructure program.

In oil exploration and production, there is an increase of $1,500,000 for the Arctic Energy Office of which $500,000 is for oxygen transport membrane research and $1,000,000 is for other research, and decreases of $1,000,000 for the National laboratory/industry partnership, $500,000 for fundamental research/PRIME, and a general reduction of $7,000,000.

Other changes in oil technology research include decreases in reservoir life extension of $4,000,000 for reservoir practices and technology transfer and $1,000,000 for preferred upstream management practices, and a decrease of $600,000 for effective environmental protection.

In cooperative research and development, there is an increase of $240,000.

There is a decrease of $920,000 for headquarters program direction and an increase of $1,020,000 for energy technology center program direction. In general plant projects, there is a decrease of $7,000,000 for renovations at the National Energy Technology Laboratory.

Finally, there is a decrease of $500,000, for a National Academy of Sciences review of programs, which leaves $500,000 in the budget for this purpose.

The managers agree to the following:

1. In the mercury research area, the Department should consider research on mercury emissions reductions from lignite-fired power plants if a competitive proposal is submitted and ranks among the high priority project proposals.

2. In the central systems, advanced systems program, the Department should continue the ITM oxygen project to the extent possible within available funds.

3. Within the funds provided for fuel cell systems, $3,000,000 is for the molten carbonate fuel cell hybrid program.

4. The $7,000,000 increase in transportation fuels and chemicals, provided by both the House and the Senate, is for the ultra clean fuels program.

5. In natural gas technologies, within the $2,000,000 provided for Alaska gas pipeline research at the Arctic Energy Office, $500,000 is to be used for a study of a pipeline spur from Anchorage to Fairbanks.

6. The increase above the budget request for energy technology center program direction should be applied as necessary to cover the cost of in-house personnel and contract services at the National Energy Technology Laboratory.

The conference agreement includes bill language earmarking $4,000,000 for infrastructure upgrades at the National Energy Technology Laboratory as proposed by the Senate instead of $11,000,000 as proposed by the House.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides $17,831,000 for the naval petroleum and oil shale reserves instead of $20,831,000 as proposed by both the House and the Senate.

ELK HILLS SCHOOL LANDS FUND

The conference agreement provides $36,000,000 to become available on October 1, 2003, for the Elk Hills school lands fund as proposed by both the House and the Senate.

ENERGY CONSERVATION

The conference agreement provides $897,603,000 for energy conservation instead of $984,653,000 as proposed by the House and $884,293,000 as proposed by the Senate. The numerical changes described below are to the House recommended level.

In building research and standards there are decreases of $1,000,000 for residential buildings integration and $500,000 for commercial buildings integration. For equipment materials and tools, there are increases of $3,000,000 for the next generation lighting initiative, $500,000 for lighting and appliance standards, and $500,000 for windows research and decreases of $1,500,000 for electrochromics research in the windows program and $500,000 for the National Fenestration Rating Council database.

In building technology assistance there are decreases of $25,000,000 for the weatherization assistance program, $5,000,000 for State energy conservation grants, $1,000,000 for community partnerships and $2,000,000 for Energy Star.

Funding for the cooperative programs with the States ($2,000,000) and the energy efficiency science initiative ($4,000,000) has been eliminated in each of the buildings, industry, and transportation areas and funded at lower amounts at the end of energy conservation account.

There are also decreases of $700,000 for management and planning/program direction in the buildings and technology assistance program and $1,000,000 for the Federal Energy Management Program.

In industries of the future/specific, there are decreases of $3,000,000 for petroleum refining, $2,000,000 for bio-based products consortia in the agriculture program, and $500,000 for the mining program.

In industries of the future/crosscutting there is an increase of $1,000,000 for bio-based products consortia and decreases of $4,000,000 for industrial gasification in the combustion

systems program, $2,000,000 for robotics in the sensors and controls program, $1,000,000 for best practices in the technical assistance program, $1,000,000 for industrial assessment centers, $500,000 for inventions and innovations, and $1,000,000 for technical and program management support.

Funding for the cooperative programs with the States ($2,000,000) and the energy efficiency science initiative ($4,000,000) has been eliminated in each of the buildings, industry, and transportation areas and funded at lower amounts at the end of the energy conservation account.

There is also a decrease of $1,500,000 in management and planning for program direction in the industry sector programs.

In distributed generation technologies, there is an increase of $500,000 for the turbines program and decreases of $4,000,000 for microturbines, $1,000,000 for reciprocating engines, $2,000,000 for power electronics in the advanced materials and sensors program, $250,000 for oil heat research in the fuel flexibility program, and $2,000,000 for applications integration. There are also decreases in management and planning of $200,000 for evaluation and planning and $100,000 for program direction.

In vehicle technologies research, there is a decrease of $4,000,000 for heavy vehicle propulsion in the hybrid program. In fuel cell programs decreases include $1,400,000 for fuel cell systems, $2,000,000 for stack subsystem components of which $1,000,000 is for platinum substitutes and $1,000,000 is a general decrease, and $600,000 for fuel processor storage. In advanced combustion engine research, there are decreases of $1,000,000 for light truck engines and $500,000 for heavy truck engines. For off-highway engine research, there is a $3,000,000 general increase and a decrease of $4,500,000 for specific programs mentioned in the House report. There are also decreases of $3,500,000 for heavy vehicle systems optimization and $1,000,000 for advanced battery development.

Other changes in the transportation area are as follows. There is a decrease of $2,000,000 for fuels utilization. In the materials program, there is an increase of $500,000 for automotive propulsion materials and a decrease of $2,000,000 for lightweight materials technologies. In technology deployment, there is a decrease of $500,000 for the Clean Cities program.

Funding for the cooperative programs with the States ($2,000,000) and the energy efficiency science initiative ($4,000,000) has been eliminated in each of the buildings, industry, and transportation areas and funded at lower amounts at the end of the energy conservation account.

There is also a decrease of $300,000 in management and planning for program direction in transportation programs.

In policy and management, there is a decrease of $1,000,000 for the regional support offices.

There is a decrease of $500,000 for a National Academy of Sciences review of programs, which leaves $500,000 in the budget for this purpose.

The conference agreement also includes an increase of $3,000,000 to restore a general reduction to program administration.

Finally, there are increases of $3,000,000 for a consolidated cooperative program with the States and $5,000,000 for the energy efficiency science initiative.

The managers agree to the following:

1. Within the funds provided for the windows program, the Department should consider increasing funds for the National Fenestration Rating Council database.

2. Within the funds provided for off-highway engine research, the Department should consider emissions reduction research, locomotive research, and fuel cell applications for off-road vehicles.

3. The Department recently established a five-year agreement with the National Association of State Energy Officials (NASEO) and the Association of State Energy Research and Technology Transfer Institutions (ASERTI) to implement a State Technologies Advancement Collaborative. The Department, through this collaborative, should use the resources of NASEO and ASERTI to implement the consolidated cooperative program with the States and the consolidated energy efficiency science initiative.

4. As mandated in the fiscal year 2002 Interior Appropriations Act, half of the funds for the energy efficiency science initiative are for fossil energy research.

5. Within available funds, the Department should continue the robotics/repetitive systems project in the Industries of the Future Program.

The conference agreement earmarks $270,000,000 for energy conservation grant programs as proposed by the Senate instead of $300,000,000 as proposed by the House. Within the funds provided, $225,000,000 is further earmarked for weatherization assistance grants as proposed by the Senate instead of $250,000,000 as proposed by the House and $45,000,000 is earmarked for State energy conservation grants as proposed by the Senate instead of $50,000,000 as proposed by the House.

ECONOMIC REGULATION

The conference agreement provides $1,487,000 for economic regulation as proposed by both the House and the Senate.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides $172,856,000 for the strategic petroleum reserve as proposed by the Senate instead of $175,856,000 as proposed by the House.

SPR PETROLEUM ACCOUNT

(INCLUDING RESCISSION)

The conference agreement provides $7,000,000 for the SPR petroleum account as proposed by both the House and the Senate. The conference agreement also rescinds $5,000,000 in funds available from previous appropriations.

NORTHEAST HOME HEATING OIL RESERVE

The conference agreement provides $6,000,000 for the northeast home heating oil reserve as proposed by the Senate instead of $8,000,000 as proposed by the House.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides $80,611,000 for the energy information administration as proposed by the House instead of $80,111,000 as proposed by the Senate.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

The conference agreement provides $2,492,115,000 for Indian health services instead of $2,508,756,000 as proposed by the House and $2,455,881,000 as proposed by the Senate. The numerical changes described below are to the House recommended level.

For hospital and health clinic programs, there are increases of $230,000 for the Ketchikan Native Corporation and $4,435,000 to restore administrative reductions proposed in the budget request and decreases of $6,788,000 for the Indian health care improvement fund, $1,500,000 for the Lawton, OK hospital, $500,000 for epidemiological centers, and $500,000 for the Alaska telemedicine program.

For contract health services, there is a decrease of $5,000,000. For Indian health professions there is an increase of $95,000 for the recruitment and retention of American Indians into nursing (RAIN) program at the University of North Dakota and a decrease of $4,150,000 for recruitment programs. For direct operations, there is an increase of $4,436,000 to restore administrative reductions proposed in the budget request. For the self-governance program, there is an increase of $4,500,000. Finally, there is a decrease of $11,899,000 for annuitant health care payments for Public Health Service personnel.

The managers agree to the following:

1. The direction in the House report should be followed with respect to the distribution of the Indian Health Care Improvement Fund. The Service should report to the House and Senate Committees on Appropriations on the distribution on funds.

2. The increased funding proposed by the House for staffing and operations at the Lawton Hospital in Oklahoma will be phased in over two years. The $1,500,000 increase provided in fiscal year 2003 should remain in the base budget for fiscal year 2004 and an additional $1,500,000 should be added in 2004.

3. Unless specifically identified to the contrary, any increases above the fiscal year 2002 level for the direct operations activity shall be used by the Indian Health Service for inherently Federal functions.

4. Payments required as the Service's portion of Departmental initiatives should be included in the budget as uncontrollable funding increases and not applied as across-the-board health program reductions.

5. The Service should carefully review its use of funds under the self-governance activity.

6. Any Departmental efforts to consolidate functions or restructure or realign programs that affect the Indian Health Service must be approved through the reprogramming process by the House and Senate Committees on Appropriations prior to implementation.

7. Within the fiscal year 2003 budget there is $250,000 for the InPsych program at the University of Montana and $250,000 for the InPsych program at the University of North Dakota, $750,000 for the INMED program at the University of North Dakota, $1,000,000 for the dental program run by First Nations Community Health Sources in cooperation with the Southwest Indian Polytechnic Institute in the Albuquerque, New Mexico area, and $3,500,000 for the Telehealth Initiative in Alaska.

8. The direction in the Senate report with respect to the Mississippi Band of Choctaw Indians is no longer necessary.

The conference agreement provides a statutory earmark of $18,000,000 for the catastrophic health emergency fund as proposed by the Senate instead of $15,000,000 as proposed by the House. The statutory earmark for other contract health services is $460,130,000 instead of $468,130,000 as proposed by the House and $450,130,000 as proposed by the Senate. The conference agreement also permits funds, provided to new tribes through the contract health services activity, to be used for direct medical services in addition to contract care. The Service began funding new tribes from the contract health services account several years ago and it was never the intent of the House and Senate Committees on Appropriations to limit new tribes funding to contract health care only.

The ceiling for the loan repayment program is $25,000,000 instead of $22,000,000 as proposed by both the House and the Senate. The managers expect that this increase will permit the service to increase the amount made available to recruit dentists, pharmacists, podiatrists, and other critical health professionals.

The conference agreement includes bill language that extends the availability of funds under the Special Diabetes Program

for Indians so that these funds remain available until expended. The managers note that funding for this program was recently increased substantially and encourage the Service to use the additional funds to strengthen its national clinical data system so that data from programs may be tracked comprehensively and outcomes reported with confidence. While IHS has made strides over the past five years, there remains significant room for improvement. The Service should also use the additional diabetes funds for a competitive grant program that addresses the most compelling diabetes complications in American Indians and Alaska Natives and addresses primary prevention of diabetes in American Indians and Alaska Natives using the latest scientific findings on this subject. These competitively awarded projects should demonstrate new approaches to dealing with diabetes and related health complications. The managers also encourage the Service to expand participation in diabetes education and prevention for Native American youth through the Boys and Girls Clubs of America.

Finally, bill language is included that directs $5,000,000, of the $15,000,000 provided to the Alaska Federation of Natives for alcohol control, prevention, treatment, sobriety and wellness, be made available to the Alaska Native Tribal Health Consortium for substance abuse and behavioral health counselors through the Counselors in Every Village Program.

INDIAN HEALTH FACILITIES

The conference agreement provides $376,190,000 for Indian health facilities instead of $391,865,000 as proposed by the House and $365,390,000 as proposed by the Senate. The changes to the House level include an increase of $156,000 for facilities and environmental health support and decreases of $2,500,000 for maintenance and improvement, $156,000 for sanitation facilities, and $1,000,000 for equipment. For hospital and clinic construction, there are increases of $2,100,000 to complete the Pinon, AZ clinic and $308,000 for the Metlakatla, AK clinic and decreases of $4,000,000 for the Fort Defiance, AZ hospital, $5,583,000 for the St. Paul, AK clinic, and $5,000,000 for small ambulatory care facilities.

The managers agree to the following distribution of facilities construction funds (excluding sanitation facilities):

Project	*Conference agreement*
Fort Defiance, AZ (complete hospital)	$16,400,000
Pinon, AZ (complete clinic)	16,000,000
Winnebago, NE (complete hospital)	8,241,000
Red Mesa, AZ (clinic construction)	7,653,000
Pawnee, OK (complete clinic)	12,633,000
Sisseton, SD (clinic construction)	3,000,000
St. Paul, AK (clinic construction)	5,584,000
Metlakatla, AK (clinic construction)	308,000
Clinton, OK (clinic design)	1,300,000
Bethel, AK quarters (complete)	5,000,000
Small ambulatory care facilities	5,000,000
Dental units	1,000,000
Total	$82,119,000

The managers agree to the following:

1. The decrease to the House level for the Fort Defiance Hospital still provides sufficient funds to complete this project, which will be constructed for less than the previous estimate.

2. Any Departmental efforts to consolidate functions or restructure or realign programs that affect the Indian Health Service must be approved through the reprogramming process by the House and Senate Committees on Appropriations prior to implementation.

3. Fiscal year 2003 funding for the small ambulatory facilities program may be used to select projects from the rank order list generated from the fiscal year 2001 application process. A new request for proposals should be issued if funds are made available for this program in fiscal year 2004.

4. Savings from completed health care facilities construction projects may be used to continue high priority projects currently on the Service's health care facilities construction priority lists. In fiscal year 2003, $5,000,000 should be made available for the Metlakatla, AK Clinic and $3,000,000 should be made available for renovations at the Lawton, OK Hospital.

The conference agreement includes bill language proposed by the Senate prohibiting the use of funds for sanitation facilities construction associated with new homes funded through Department of Housing and Urban Development grants. The House addressed this issue in report language. Bill language also is included permitting the Service to use up to $1,000,000 to purchase ambulances as proposed by the Senate instead of up to $500,000 as proposed by the House. The language has been modified to permit the use of either services funding or facilities funding for this purpose.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The conference agreement provides $14,491,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation as proposed by both the House and the Senate.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The conference agreement provides $5,490,000 for payment to the institute instead of $5,130,000 as proposed by both the House and the Senate.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

(INCLUDING RESCISSION)

The conference agreement provides $449,105,000 for salaries and expenses at the Smithsonian Institution, instead of $436,660,000 as proposed by the House and the Senate. This total includes a rescission of $14,100,000 as proposed in the budget.

Changes to the House proposed funding level include increases of $750,000 for the National Museum of American History's 9/11 initiative, $11,000,000 for additional security improvements at the National Zoo and the Office of Protection Services, and $945,000 to restore in full the general offsetting reduction of $12,795,000 proposed in the budget request. The House had provided the bulk of these funds, $11,850,000, in its initial recommendations. The Senate, in agreement with the Administration, had accepted the reduction in full. There is a decrease of $250,000 for research activities at the Tropical Research Institute, which still provides an increase of $500,000 above the budget request for those programs.

The managers are aware that there has been confusion in recent years regarding the Smithsonian Institution's eligibility to compete for grants at the National Science Foundation. This problem was recently identified as a significant issue in the National Academy of Public Administration's review of Smithsonian science programs released in October 2002. The Appropriations Committees are concerned that this confusion has persisted despite recent internal NSF policy directives clarifying that the Smithsonian is fully eligible to compete for National Science Foundation grants. The managers urge the Secretary of the Smithsonian to work with the Director of the National Science Foundation to make sure that Smithsonian grant applications are welcomed by all programs at the Foundation and given fair consideration with all other applications based on the merits of the proposals.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

The conference agreement provides $83,425,000 for repair, restoration and alteration of facilities instead of $81,300,000 as proposed by the House and $78,300,000 as proposed by the Senate. The changes are detailed below.

The managers have provided an additional $2,125,000 for critical repairs at the National Zoological Park including $500,000 to complete roof construction planning for the Elephant and Reptile Houses, $625,000 for critical structural repairs at the Seal/Sea Lion area and $1,000,000 for electrical repairs.

CONSTRUCTION

The conference agreement provides $16,000,000 for construction as proposed by the Senate instead of $10,000,000 as proposed by the House. This completes the Federal commitment to the National Museum of the American Indian.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The conference agreements includes language proposed by the Senate prohibiting the reprogramming of funds without prior approval of the Committees.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides $77,219,000 for salaries and expenses of the National Gallery of Art as proposed by the Senate instead of $78,219,000 as proposed by the House.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides $16,230,000 for repair, restoration and renovation of buildings as proposed by both the House and the Senate.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides $16,310,000 for operations and maintenance of the Kennedy Center as proposed by both the House and the Senate.

CONSTRUCTION

The conference agreement provides $17,600,000 for construction as proposed by both the House and the Senate.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides $8,488,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars as proposed by both the House and the Senate. Funds should be distributed as follows:

Fellowship program	$1,259,000
Scholar support	659,000
Public service	2,261,000
General administration	1,968,000
Smithsonian fee	208,000
Conference planning	1,968,000
Space	165,000
Total	$8,488,000

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement includes $116,489,000 for grants and administration of the National Endowment for the Arts as proposed by the Senate instead of $99,489,000 as proposed by the House. The increase above the House level is due to merging the funding for the Challenge America Arts Fund into this account as proposed by the Senate. This merger will increase efficiency and management of this relatively new arts program. The managers agree to the House proposed funding levels for: direct grants, State partnerships, program support and administration. The conference agreement also includes, within the administrative provisions for the National Foundation, the bill language proposed by the House increasing efficiency for grants less than $10,000.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides $109,632,000 for grants and administration of the National Endowment of the Humanities as proposed by the Senate instead of $114,932,000 as proposed by the House. In addition to funds provided in this account, further appropriations for the NEH are included in the matching grants category below.

MATCHING GRANTS

The conference agreement provides $16,122,000 for matching grants as proposed by the House and the Senate.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

The conference agreement moves the jurisdiction and funding for the Office of Museum Services to the Labor, Health and Human Services and Education and Related Agencies subcommittee as proposed by the Administration. This consolidates all funding for the Institute thereby increasing administrative efficiency.

CHALLENGE AMERICA ARTS FUND

CHALLENGE AMERICA GRANTS

The conference agreement has moved funding for Challenge America grants into the National Endowment for the Arts grants and administration account as proposed by the Senate. The funding level for this activity is $17,000,000 as proposed by the Senate instead of $27,000,000 proposed by the House.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides $1,224,000 for salaries and expenses of the Commission of Fine Arts as proposed by the Senate instead of $1,255,000 as proposed by the House.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides $7,000,000 for national capital arts and cultural affairs as proposed by both the House and the Senate. The agreement also includes the bill language proposed by the House limiting funds for any studies or actions to alter or transfer this account to funding provided specifically to the Office of Management and Budget.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides $3,667,000 for salaries and expenses of the Advisory Council on Historic Preservation as proposed by the House and the Senate.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $7,253,000 for salaries and expenses of the National Capital Planning Commission as proposed by the Senate instead of $7,553,000 as proposed by the House.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

The conference agreement provides $38,663,000 for the Holocaust Memorial Museum as proposed by the House and the Senate.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The conference agreement provides $21,327,000 for the Presidio Trust Fund as proposed by both the House and the Senate. The Senate receded to the House language directing the Presidio Trust to contract with the National Academy of Public Administration. The scope of work should focus on finance and business practices.

TITLE III—GENERAL PROVISIONS

The conference agreement includes sections 301 through 306, which were identical in both the House and the Senate bills.

The conference agreement includes the text of the following sections in the House bill, which contained identical text in the Senate bill, but had different section numbers in the Senate bill. The House section numbers were 307, 308, 309, 310, 311, 312, 313, 314, 317, 318, 320, and 328.

Section 314—The conference agreement includes language proposed in section 316 of the Senate bill prohibiting the use of funds for GSA telecommunications centers. This provision was carried last year.

Section 315—The conference agreement includes language proposed in section 310 of the Senate bill, allowing competition for watershed restoration projects through the ''Jobs in the Woods'' program.

Section 317—The conference agreement includes language proposed in section 315 of the House bill limiting the use of answering machines during core business hours. This provision was carried in previous years. The Senate had no similar provision.

Section 318—The conference agreement includes language proposed in section 319 of the Senate bill concerning the export of western redcedar from national forest system lands in Alaska rather than the similar House section 316.

Section 321—The conference agreement modifies language proposed in section 319 of the House bill, which clarifies how the Forest Service should conduct cooperative agreements.

Section 323—The conference agreement includes language modifying language proposed in House section 321 and language in Senate section 323 concerning stewardship contracting for the Forest Service. The bill language in the conference agreement is altered from the House version as follows: the Bureau of Land Management is now included in the program; the authority is extended a total of ten years; the program is no longer a demonstration effort with a cap on the number of projects; language clarifies that the program may include contracts where trees have commercial value; monitoring requirements are clarified at the programmatic level; and language clarifies that the Secretaries may designate one contracting officer to administer a contract or agreement.

Section 324—The conference agreement includes language proposed in section 322 of the House bill, which makes a technical correction to the Cabin User Fee Fairness Act of 2000.

Section 325—The conference agreement modifies language proposed in section 323 of the House bill, which extends the Forest Service conveyances pilot program and now also allows the Forest Service to include 3 conveyances where the receipts can be used to replace or modify facilities, upon Committee approval.

Section 326—The conference agreement includes language proposed in section 324 of the Senate bill providing for the use of GSA contract airfares by employees of foundations established by Acts of Congress to solicit funds on behalf of Federal land management agencies. The House had a similar provision in section 325 of the House bill.

Section 328—The conference agreement modifies language proposed in section 324 of the House bill regarding expiring grazing permits by the Bureau of Land Management and the Forest Service. The modification deals with permits expiring during 2003. The Senate had a similar provision.

Section 329—The conference agreement includes language proposed in section 326 of the House bill authorizing a demonstration program to recruit health professionals at the Eagle Butte service unit in South Dakota. The Senate had no similar provision.

Section 330—The conference agreement includes language proposed in section 327 of the House bill prohibiting the transfer of funds to other agencies other than provided in this Act. The Senate had no similar provision.

Section 331—The conference agreement includes language proposed in section 329 of the House bill, which continues a legislative provision prohibiting funds for oil or gas leasing or permitting within the Finger Lakes National Forest, NY.

The conference agreement does not retain language proposed in section 330 of the House bill regarding certain OCS leases in California. This issue is addressed in Title I, section 156.

Section 332—The conference agreement retains language proposed in section 331 of the House bill prohibiting funding to improve Pennsylvania Avenue in front of the White House without prior approval by the House and Senate Appropriations Committees.

Section 333—The conference agreement includes language proposed in section 327 of the Senate bill, which allows the Secretaries of the Interior and Agriculture to consider local contractors when awarding contracts for certain activities on public lands.

Section 334—The conference agreement includes language proposed in section 328 of the Senate bill increasing the cap on administrative expenses of the North Pacific Research Board. The House had no similar provision.

Section 335—The conference agreement retains language proposed in section 329 of the Senate bill limiting review of certain elements in the land management plan for the Tongass National Forest, AK.

Section 336—The conference agreement includes language proposed in section 330 of the Senate bill extending the authorization for assistance to the Four Corners Interpretive Center.

Section 337—The conference agreement retains language proposed in section 331 of the Senate bill amending the Alaska Native Claims Settlement Act to allow native corporations to establish settlement trusts.

Section 338—The conference agreement includes language proposed in section 141 of the Senate bill, which extends the Quincy Library Group forestry project in California for five more years.

Section 339—The conference agreement modifies language proposed in section 145

(Title I) of the Senate bill extending the authorization for the Strategic Petroleum Reserve; requiring the filling of SPR to capacity as soon as practicable; and amending legislation dealing with the Northeast Home Heating Oil Reserve. The language in the conference agreement is limited to a five-year extension of the SPR authorization. The House had no similar provision.

Section 340—The conference agreement includes language requiring formal approval by the House and Senate Committees on Appropriations of all Declarations of Taking and Complaints in Condemnations with the exception of the South Florida Restoration Project.

Section 341—The conference agreement includes a new provision, which names the 6,294 acre Panthertown Valley Tract of the Nantahala National Forest, North Carolina, in honor of James and Elspeth McClure Clarke.

TITLE IV—T'UF SHUR BIEN PRESERVATION TRUST AREA

The conference agreement includes the T'uf Shur Bien Preservation Trust Area Act as proposed by the Senate.

The conference agreement does not include Title V—the Ottawa National Wildlife Refuge Complex Expansion and Detroit River International Wildlife Refuge Expansion Act as proposed by the Senate.

TITLE V—NATIONAL FOREST ORGANIZATIONAL CAMP FEE IMPROVEMENT ACT OF 2003

The conference agreement includes a new Title V—The National Forest Organizational Camp Fee Improvement Act of 2003.

The National Forest Organizational Camp Fee Improvement Act reforms and improves the fee schedules being paid to the Forest Service by non-profit recreational camps, which are operated by organizations such as the Girl Scouts and church groups. A new fee structure is needed so that these important uses of the public lands are encouraged and not excluded due to new appraisal methods. This new fee system allows camps to remain on national forest system lands while providing a fair and equitable return to the American taxpayer.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
TITLE I - DEPARTMENT OF THE INTERIOR			
BUREAU OF LAND MANAGEMENT			
Management of Lands and Resources			
Land Resources			
Soil, water and air management	34,469	34,683	36,058
Range management	70,697	69,754	72,729
Forestry management	7,629	7,235	7,235
Riparian management	22,806	21,786	22,111
Cultural resources management	14,181	14,382	15,357
Wild horse and burro management	29,665	29,717	29,717
Subtotal, Land Resources	179,447	177,557	183,207
Wildlife and Fisheries			
Wildlife management	25,318	22,086	22,346
Fisheries management	12,110	11,669	11,669
Subtotal, Wildlife and Fisheries	37,428	33,755	34,015
Threatened and endangered species	21,618	21,288	21,673
Recreation Management			
Wilderness management	17,232	17,093	17,488
Recreation resources management	45,762	44,603	41,743
Recreation operations (fees)	1,295	1,000	1,000
Subtotal, Recreation Management	64,289	62,696	60,231
Energy and Minerals			
Oil and gas	76,609	84,936	86,686
Coal management	8,828	9,588	9,588
Other mineral resources	10,096	10,317	10,317
Subtotal, Energy and Minerals	95,533	104,841	106,591
Alaska minerals	4,000	2,228	2,500
Realty and Ownership Management			
Alaska conveyance	36,338	35,067	37,067
Cadastral survey	14,546	14,022	15,122
Land and realty management	33,813	36,161	37,011
Subtotal, Realty and Ownership Management	84,697	85,250	89,200
Resource Protection and Maintenance			
Resource management planning	33,035	47,301	47,551
Resource protection and law enforcement	11,947	12,112	14,412
Hazardous materials management	16,709	16,814	16,814
Subtotal, Resource Protection and Maintenance	61,691	76,227	78,777
Transportation and Facilities Maintenance			
Operations	6,640	6,428	6,428
Annual maintenance	30,310	30,613	32,183
Deferred maintenance	12,917	11,889	13,689
Infrastructure improvement	---	---	31,028
Conservation (infrastructure improvement)	28,000	29,028	---
Subtotal, Transportation/Facilities Maintenance	77,867	77,958	83,328
Land and resources information systems	19,756	19,341	19,341
Mining Law Administration			
Administration	32,298	32,696	32,696
Offsetting fees	-32,298	-32,696	-32,696
Subtotal, Mining Law Administration	---	---	---
Workforce and Organizational Support			
Information systems operations	16,395	16,449	16,449
Administrative support	49,266	50,111	50,111
Bureauwide fixed costs	63,645	66,316	66,316
Subtotal, Workforce and Organizational Support	129,306	132,876	132,876

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Challenge cost share	---	8,973	13,973
Conservation	---	10,000	---
Adjustment for conservation spending	-1,000	-1,000	---
Conservation (Youth Conservation Corps)	1,000	1,000	---
Total, Management of Lands and Resources	775,632	812,990	825,712
Appropriations	(746,632)	(772,962)	(825,712)
Conservation	(29,000)	(40,028)	---
Wildland Fire Management			
Preparedness	280,807	277,213	277,213
Fire suppression operations	127,424	160,351	160,351
Other operations	216,190	216,190	216,842
Suppression (contingent emergency appropriations)	34,000	---	---
Other operations (contingent emergency appropriations)	20,000	---	---
Total, Wildland Fire Management	678,421	653,754	654,406
Central Hazardous Materials Fund			
Bureau of Land Management	9,978	9,978	9,978
Construction			
Construction	13,076	10,976	11,976
Payments in Lieu of Taxes			
Payments to local governments	160,000	150,000	220,000
Conservation	50,000	15,000	---
Total, Payments in Lieu of Taxes	210,000	165,000	220,000
Land Acquisition			
Land Acquisition			
Acquisitions	---	---	27,450
Conservation	43,420	38,686	---
Emergencies and hardships	---	---	1,500
Conservation	1,000	1,500	---
Acquisition management	---	---	4,000
Conservation	5,000	4,000	---
Land exchange equalization payment	---	---	500
Conservation	500	500	---
Total, Land Acquisition	49,920	44,686	33,450
Oregon and California Grant Lands			
Western Oregon resources management	85,949	86,355	86,355
Western Oregon information and resource data systems	2,195	2,206	2,206
Western Oregon transportation & facilities maintenance	10,919	10,958	10,958
Western Oregon construction and acquisition	294	299	299
Jobs in the woods	5,808	5,815	5,815
Total, Oregon and California Grant Lands	105,165	105,633	105,633
Range Improvements			
Improvements to public lands	7,873	7,873	7,873
Farm Tenant Act lands	1,527	1,527	1,527
Administrative expenses	600	600	600
Total, Range Improvements	10,000	10,000	10,000
Service Charges, Deposits, and Forfeitures			
Rights-of-way processing	1,115	1,115	1,115
Adopt-a-horse program	1,225	1,225	1,225
Repair of damaged lands	3,666	3,666	3,666
Cost recoverable realty cases	515	515	515
Timber purchaser expenses	50	50	50
Copy fees	1,429	1,329	1,329
Subtotal (gross)	8,000	7,900	7,900

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Offsetting fees	---	-7,900	-7,900
Total, Service Charges, Deposits & Forfeitures	8,000	---	---
Miscellaneous Trust Funds			
Current appropriations	12,405	12,405	12,405
TOTAL, BUREAU OF LAND MANAGEMENT	1,872,597	1,825,422	1,883,560
Appropriations	(1,689,677)	(1,725,708)	(1,883,560)
Conservation	(128,920)	(99,714)	---
Contingent emergency appropriations	(54,000)	---	---
UNITED STATES FISH AND WILDLIFE SERVICE			
Resource Management			
Ecological Services			
Endangered species			
Candidate conservation	7,620	8,682	9,932
Listing	9,000	9,077	9,077
Consultation	45,501	47,770	47,770
Recovery	63,617	60,215	65,840
Subtotal, Endangered species	125,738	125,744	132,619
Habitat conservation	83,409	74,623	85,627
Environmental contaminants	10,579	10,780	10,780
Subtotal, Ecological Services	219,726	211,147	229,026
Refuges and Wildlife			
Refuge operations and maintenance	293,964	316,475	369,781
Conservation (cooperative conservation initiative)	---	5,000	---
Conservation (infrastructure improvement)	23,000	52,006	---
Conservation (Youth Conservation Corps)	2,000	2,000	---
Salton Sea recovery	993	998	998
Migratory bird management	28,616	28,310	28,885
Law enforcement operations	48,411	49,928	51,928
Conservation (infrastructure improvement)	2,000	2,000	---
Subtotal, Refuges and Wildlife	398,984	456,717	451,592
Fisheries			
Hatchery operations and maintenance	51,362	45,952	54,452
Conservation (infrastructure improvement)	4,000	4,000	---
Fish and wildlife management	48,547	44,811	52,882
Subtotal, Fisheries	103,909	94,763	107,334
General Administration			
Central office administration	15,530	14,569	14,569
Regional office administration	24,792	24,217	24,217
Servicewide administrative support	53,295	57,762	58,512
National Fish and Wildlife Foundation	7,705	7,670	7,670
National Conservation Training Center	15,526	15,592	16,142
International affairs	8,130	8,167	8,167
Conservation (cooperative conservation initiative)	---	13,000	---
Cost allocation methodology	3,000	---	---
Caddo Lake Ramsar Center	---	---	200
Subtotal, General Administration	127,978	140,977	129,477
Total, Resource Management	850,597	903,604	917,429
Appropriations	(819,597)	(825,598)	(917,429)
Conservation	(31,000)	(78,006)	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Construction			
Construction and rehabilitation			
Line item construction	43,051	25,184	43,709
Nationwide engineering services	12,492	10,218	10,718
Total, Construction	55,543	35,402	54,427
Land Acquisition			
Fish and Wildlife Service			
Acquisitions - Federal refuge lands	---	---	55,870
Conservation	80,135	53,884	---
Inholdings	---	---	2,000
Conservation	1,500	2,500	---
Emergencies and hardships	---	---	2,000
Conservation	1,500	2,000	---
Exchanges	---	---	1,000
Conservation	1,000	1,000	---
Acquisition management	---	---	10,000
Conservation	15,000	8,500	---
Cost allocation methodology	---	---	2,500
Conservation	---	2,500	---
Total, Land Acquisition	99,135	70,384	73,370
Landowner Incentive Program			
Grants to States	---	---	40,000
Conservation	40,000	50,000	---
Rescission of FY 2002 funds	---	---	-40,000
Total, Landowner incentive program	40,000	50,000	---
Private Stewardship Grants Program			
Stewardship grants	---	---	10,000
Conservation	10,000	10,000	---
Rescission of FY 2002 funds	---	---	-10,000
Total, Private stewardship grants program	10,000	10,000	---
Cooperative Endangered Species Conservation Fund			
Grants to States	---	---	26,929
Conservation	31,929	31,929	---
HCP land acquisition	---	---	51,471
Conservation	61,306	56,471	---
Administration	---	---	2,600
Conservation	3,000	2,600	---
Total, Cooperative Endangered Species Fund	96,235	91,000	81,000
National Wildlife Refuge Fund			
Payments in lieu of taxes	14,414	14,414	14,414
North American Wetlands Conservation Fund			
Wetlands conservation	---	---	37,018
Conservation	41,760	41,818	---
Administration	---	---	1,542
Conservation	1,740	1,742	---
Total, North American Wetlands Conservation Fund	43,500	43,560	38,560
Neotropical Migratory Bird Conservation Fund			
Migratory bird grants	3,000	---	3,000
Multinational Species Conservation Fund			
African elephant conservation	1,000	1,000	1,200
Rhinoceros and tiger conservation	1,000	1,000	1,200
Asian elephant conservation	1,000	1,000	1,200

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Great ape conservation	1,000	1,000	1,200
Neotropical migratory bird conservation	---	1,000	---
Total, Multinational Species Conservation Fund	4,000	5,000	4,800
Appropriations	(4,000)	(5,000)	(4,800)
Conservation	---	---	---
State Wildlife Grants			
State wildlife grants	---	---	65,000
Conservation	85,000	60,000	---
Rescission	-25,000	---	---
Total, State Wildlife Grants	60,000	60,000	65,000
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,276,424	1,283,364	1,252,000
Appropriations	(896,554)	(880,414)	(1,302,000)
Conservation	(404,870)	(402,950)	---
Rescission	(-25,000)	---	(-50,000)
NATIONAL PARK SERVICE			
Operation of the National Park System			
Park Management			
Resource stewardship	318,312	334,923	344,227
Visitor services	297,091	309,681	319,128
Maintenance	479,201	529,428	522,823
Conservation (Youth Conservation Corps)	2,000	2,000	---
Park support	275,025	278,297	277,151
Conservation (cooperative conservation initiative)	---	22,000	---
Undistributed reduction of park base	---	---	-6,000
Subtotal, Park Management	1,371,629	1,476,329	1,457,329
External administrative costs	105,348	108,236	108,236
Emergency supplemental (P.L. 107-117)	10,098	---	---
Total, Operation of the National Park System	1,487,075	1,584,565	1,565,565
Appropriations	(1,474,977)	(1,560,565)	(1,565,565)
Conservation	(2,000)	(24,000)	---
Emergency appropriations	(10,098)	---	---
United States Park Police			
Park Police	65,260	78,431	78,431
Emergency appropriations (P.L. 107-117)	25,295	---	---
Total, United States Park Police	90,555	78,431	78,431
National Recreation and Preservation			
Recreation programs	549	552	552
Natural programs	10,930	10,948	10,948
Cultural programs	20,769	19,748	20,048
International park affairs	1,718	1,719	1,719
Environmental and compliance review	397	400	400
Grant administration	1,582	1,585	1,585
Heritage Partnership Programs			
Commissions and grants	13,092	7,616	14,255
Administrative support	117	119	119
Subtotal, Heritage Partnership Programs	13,209	7,735	14,374
Statutory or Contractual Aid			
Aleutian World War II Historic Area	---	---	400
Anchorage Museum	2,500	---	---
Barnanoff Museum / Erskin House	250	---	---
Bishop Museum's Falls of Clyde	300	---	---
Brown Foundation	101	101	201
Chesapeake Bay Gateway	1,200	798	2,000
Dayton Aviation Heritage Commission	299	47	449
Denver Natural History and Science Museum	750	---	---
Flight 93 Memorial	---	---	300

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Ice Age National Scientific Reserve	806	806	806
Independence Mine, AK	1,500	---	---
Jamestown 2007	200	---	200
Johnstown Area Heritage Association	49	49	49
Lake Roosevelt Forum	50	---	50
Lamprey River	500	200	600
Louisiana Purchase Comm of Arkansas	---	---	200
Mandan On-a-Slant Village	750	---	---
Martin Luther King, Jr. Center	528	528	528
Morris Thompson Cultural and Visitor Center	750	---	---
National Constitution Center, PA	500	---	500
Native Hawaiian culture and arts program	740	740	740
New Orleans Jazz Commission	66	66	66
Office of Arctic Studies	---	---	1,500
Penn Center National landmark, SC	1,000	---	500
Roosevelt Campobello International Park Commission	766	802	802
Sewall-Belmont House	500	---	400
Sleeping Rainbow Ranch, Capitol Reef NP	---	---	500
St. Charles Interpretive Center	500	---	500
Vancouver National Historic reserve	400	---	250
Virginia Key Miami Beach	---	---	500
Vulcan State Park	2,000	---	---
Subtotal, Statutory or Contractual Aid	17,005	4,137	12,041
Total, National Recreation and Preservation	66,159	46,824	61,667
Urban Park and Recreation Fund			
Urban park grants	---	---	300
Conservation	30,000	300	---
Historic Preservation Fund			
State historic preservation offices	---	---	34,000
Conservation	39,000	34,000	---
Tribal grants	---	---	3,000
Conservation	3,000	3,000	---
Grants for millennium initiative	---	---	30,000
Conservation	30,000	30,000	---
National trust (endowment)	---	---	2,000
Conservation	2,500	---	---
Total, Historic Preservation Fund	74,500	67,000	69,000
Construction			
Emergency and unscheduled	3,500	3,500	3,500
Housing	12,500	12,500	10,000
Equipment replacement	17,960	31,960	31,960
Planning, construction	25,400	25,400	25,400
General management plans	11,240	13,896	13,896
Line item construction and maintenance	208,488	122,934	215,595
Conservation (infrastructure improvement)	66,851	82,202	---
Construction program management	17,405	27,292	24,792
Dam safety	2,700	2,700	2,700
Emergency appropriations (P.L. 107-117)	21,624	---	---
Total, Construction	387,668	322,384	327,843
Appropriations	(299,193)	(240,182)	(327,843)
Conservation	(66,851)	(82,202)	---
Emergency appropriations	(21,624)	---	---
Land and Water Conservation Fund			
(Rescission of contract authority)	-30,000	-30,000	-30,000
Land Acquisition and State Assistance			
Assistance to States			
State conservation grants	---	---	95,000
Conservation	140,000	194,600	---
Administrative expenses	---	---	3,000
Conservation	4,000	5,400	---
Total, Assistance to States	144,000	200,000	98,000

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
National Park Service			
Acquisitions	---	---	53,880
Conservation	110,117	65,469	---
Emergencies and hardships	---	---	4,000
Conservation	4,000	4,000	---
Acquisition management	---	---	12,588
Conservation	12,000	12,588	---
Inholdings	---	---	4,000
Conservation	4,000	4,000	---
Total, National Park Service	130,117	86,057	74,468
Total, Land Acquisition and State Assistance	274,117	286,057	172,468
TOTAL, NATIONAL PARK SERVICE	2,380,074	2,355,561	2,245,274
Appropriations	(1,905,589)	(1,926,002)	(2,275,274)
Conservation	(447,468)	(459,559)	---
Rescission	(-30,000)	(-30,000)	(-30,000)
Emergency appropriations	(57,017)	---	---
UNITED STATES GEOLOGICAL SURVEY			
Surveys, Investigations, and Research			
Mapping, Remote Sensing, and Geographic Investigations			
Cooperative topographic mapping	81,067	80,940	81,651
Land remote sensing	35,849	32,828	35,945
Geographic analysis and monitoring	16,361	15,526	16,481
Subtotal, National Mapping Program	133,277	129,294	134,077
Geologic Hazards, Resource and Processes			
Geologic hazards assessments	75,004	73,971	75,481
Geologic landscape and coastal assessments	77,973	73,217	79,213
Geologic resource assessments	79,833	77,468	79,999
Subtotal, Geologic Hazards, Resource & Processes	232,810	224,656	234,693
Water Resources Investigations			
Hydrologic monitoring, assessments and research			
Ground water resources program	5,421	6,422	5,445
National water quality assessment	63,096	57,321	63,631
Toxic substances hydrology	13,919	---	13,525
Hydrologic research and development	13,876	13,680	15,487
National streamflow information program	14,310	12,214	14,310
Hydrologic networks and analysis	24,886	23,852	25,252
Subtotal, Hydrologic monitoring, assessments and research	135,508	113,489	137,650
Federal-State program	64,318	64,339	64,855
Water resources research institutes	6,000	---	6,002
Subtotal, Water Resources Investigations	205,826	177,828	208,507
Biological Research			
Biological research and monitoring	133,502	127,619	132,997
Biological information management and delivery	18,917	18,893	22,936
Cooperative research units	13,970	13,969	14,993
Subtotal, Biological Research	166,389	160,481	170,926
Science support	86,255	86,104	85,734
Facilities	89,445	88,975	91,350
Adjustment for conservation spending	-25,000	-13,578	---
Conservation	25,000	13,578	---
TOTAL, UNITED STATES GEOLOGICAL SURVEY	914,002	867,338	925,287
Appropriations	(889,002)	(853,760)	(925,287)
Conservation	(25,000)	(13,578)	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
MINERALS MANAGEMENT SERVICE			
Royalty and Offshore Minerals Management			
OCS Lands			
Leasing and environmental program	38,573	37,633	37,633
Resource evaluation	24,989	25,348	26,948
Regulatory program	49,572	50,512	51,011
Information management program	14,894	24,050	23,050
Subtotal, OCS Lands	128,028	137,543	138,642
Royalty Management			
Compliance and asset management	48,106	48,724	48,724
Revenue and operations	35,223	34,545	34,545
Indian allottee refunds	15	15	15
Subtotal, Royalty Management	83,344	83,284	83,284
General Administration			
Executive direction	2,003	2,030	2,030
Policy and management improvement	4,036	4,095	4,095
Administrative operations	15,970	16,638	16,638
General support services	20,016	20,862	20,862
Subtotal, General Administration	42,025	43,625	43,625
Subtotal (gross)	253,397	264,452	265,551
Use of receipts	-102,730	-100,230	-100,230
Total, Royalty and Offshore Minerals Management	150,667	164,222	165,321
Oil Spill Research			
Oil spill research	6,105	6,105	6,105
TOTAL, MINERALS MANAGEMENT SERVICE	156,772	170,327	171,426
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT			
Regulation and Technology			
Environmental restoration	160	162	162
Environmental protection	77,741	79,159	79,159
Technology development and transfer	12,151	12,593	12,593
Financial management	477	485	485
Executive direction	12,271	12,693	12,693
Subtotal, Regulation and Technology	102,800	105,092	105,092
Civil penalties	275	275	275
Total, Regulation and Technology	103,075	105,367	105,367
Abandoned Mine Reclamation Fund			
Environmental restoration	186,697	156,987	174,697
Technology development and transfer	4,136	4,164	4,164
Financial management	6,070	6,179	6,179
Executive direction	6,552	6,705	6,705
Total, Abandoned Mine Reclamation Fund	203,455	174,035	191,745
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	306,530	279,402	297,112

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
BUREAU OF INDIAN AFFAIRS			
Operation of Indian Programs			
Tribal Budget System			
Tribal Priority Allocations			
Tribal government	378,956	388,949	388,949
Human services	151,199	148,951	150,951
Education	50,037	50,165	50,165
Public safety and justice	1,417	1,382	1,382
Community development	39,784	40,726	40,726
Resources management	56,743	61,517	61,517
Trust services	49,205	58,383	58,383
General administration	24,815	25,461	25,461
Subtotal, Tribal Priority Allocations	752,156	775,534	777,534
Other Recurring Programs			
Education			
School operations			
Forward-funded	436,427	452,984	447,985
Other school operations	67,588	69,832	67,931
Subtotal, School operations	504,015	522,816	515,916
Continuing education	41,118	39,118	43,118
Subtotal, Education	545,133	561,934	559,034
Resources management	41,835	34,258	42,601
Subtotal, Other Recurring Programs	586,968	596,192	601,635
Non-Recurring Programs			
Community development	3,175	---	2,250
Resources management	32,611	30,215	33,065
Trust services	37,012	37,295	37,645
Subtotal, Non-Recurring Programs	72,798	67,510	72,960
Total, Tribal Budget System	1,411,922	1,439,236	1,452,129
BIA Operations			
Central Office Operations			
Tribal government	2,649	2,654	3,154
Human services	909	907	907
Community development	886	875	875
Resources management	3,476	3,488	3,488
Trust services	3,129	8,823	8,823
General administration			
Education program management	2,435	2,409	2,409
Other general administration	44,622	53,334	50,379
Subtotal, General administration	47,057	55,743	52,788
Subtotal, Central Office Operations	58,106	72,490	70,035
Regional Office Operations			
Tribal government	1,324	1,336	1,336
Human services	3,067	3,162	3,162
Community development	847	853	853
Resources management	4,365	5,449	5,449
Trust services	23,669	24,383	24,383
General administration	29,407	29,040	29,040
Subtotal, Regional Office Operations	62,679	64,223	64,223
Special Programs and Pooled Overhead			
Education	16,039	16,273	16,273
Public safety and justice	160,652	161,368	163,568
Community development	8,623	1,061	8,632
Resources management	1,311	1,307	1,307

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
General administration	80,477	81,152	81,152
Subtotal, Special Programs and Pooled Overhead	267,102	261,161	270,932
Total, BIA Operations	387,887	397,874	405,190
Rescission (P.L. 107-206)	-10,000	---	---
Total, Operation of Indian Programs	1,789,809	1,837,110	1,857,319
BIA SPLITS			
Natural resources	(140,341)	(136,234)	(147,427)
Forward-funding	(436,427)	(452,984)	(447,985)
Education	(177,217)	(177,797)	(179,896)
Community development	(1,035,824)	(1,070,095)	(1,082,011)
Total, BIA splits	(1,789,809)	(1,837,110)	(1,857,319)
Construction			
Education	292,503	292,717	295,717
Public safety and justice	5,541	5,046	5,046
Resources management	50,645	39,173	39,173
General administration	2,179	2,182	2,182
Construction management	6,264	6,134	6,134
Total, Construction	357,132	345,252	348,252
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians			
White Earth Land Settlement Act (Admin)	625	625	625
Hoopa-Yurok settlement fund	250	250	250
Pyramid Lake water rights settlement	142	142	142
Ute Indian water rights settlement	24,728	24,728	24,728
Rocky Boy's	7,950	5,068	5,068
Great Lakes fishing settlement	6,254	---	---
Shivwits Band Settlement	5,000	16,000	19,000
Santo Domingo Pueblo Settlement	2,000	3,136	3,136
Colorado Ute Settlement	8,000	8,000	8,000
Torres-Martinez Settlement	6,000	---	---
Total, Miscellaneous Payments to Indians	60,949	57,949	60,949
Indian Guaranteed Loan Program Account			
Indian guaranteed loan program account	4,986	5,493	5,493
TOTAL, BUREAU OF INDIAN AFFAIRS	2,212,876	2,245,804	2,272,013
DEPARTMENTAL OFFICES			
Insular Affairs			
Assistance to Territories			
Territorial Assistance			
Office of Insular Affairs	4,528	5,295	5,295
Technical assistance	16,961	7,461	13,461
Maintenance assistance fund	2,300	2,300	2,300
Brown tree snake	2,350	2,350	2,350
Insular management controls	1,491	1,491	1,491
Coral reef initiative	500	500	500
Subtotal, Territorial Assistance	28,130	19,397	25,397
American Samoa			
Operations grants	23,100	23,100	23,100
Northern Marianas			
Covenant grants	27,720	27,720	27,720
Total, Assistance to Territories	78,950	70,217	76,217

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Compact of Free Association			
Compact of Free Association - Federal services	7,354	7,354	7,354
Mandatory payments - program grant assistance	14,500	12,000	12,000
Enewetak support	1,391	1,391	1,631
Total, Compact of Free Association	23,245	20,745	20,985
Total, Insular Affairs	102,195	90,962	97,202
Departmental Management			
Departmental direction	12,964	13,405	13,405
Management and coordination	24,905	26,455	26,455
Hearings and appeals	8,559	8,198	8,198
Central services	20,425	26,429	23,528
Bureau of Mines workers compensation/unemployment	888	4,109	841
Emergency appropriations (P.L. 107-117)	2,205	---	---
Total, Departmental Management	69,946	78,596	72,427
Office of the Solicitor			
Legal services	37,276	38,432	38,432
General administration	7,724	9,341	9,341
Total, Office of the Solicitor	45,000	47,773	47,773
Office of Inspector General			
Audit	18,680	19,782	19,580
Investigations	6,763	7,266	7,213
Program integrity	1,457	1,496	1,488
Policy and management	7,402	8,115	7,958
Total, Office of Inspector General	34,302	36,659	36,239
National Indian Gaming Commission			
Salaries and expenses	---	2,000	---
Office of Special Trustee for American Indians			
Federal Trust Programs			
Program operations, support, and improvements	96,728	148,246	138,747
Executive direction	2,496	2,781	2,530
Total, Federal Trust programs	99,224	151,027	141,277
Indian Land Consolidation Program			
Indian land consolidation	10,980	7,980	7,980
Total, Office of Special Trustee for American Indians	110,204	159,007	149,257
Natural Resource Damage Assessment Fund			
Damage assessments	4,165	3,927	3,927
Program management	1,332	1,361	1,361
Restoration support	---	250	250
Total, Natural Resource Damage Assessment Fund	5,497	5,538	5,538

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Federal Priority Land Acquisitions and Exchanges			
Federal priority land acquisitions and exchanges	---	3,000	---
TOTAL, DEPARTMENTAL OFFICES	367,144	423,535	408,436
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	9,486,419	9,450,753	9,455,108
Appropriations	(8,431,939)	(8,501,952)	(9,535,108)
Conservation	(1,006,258)	(978,801)	---
Emergency appropriations	(59,222)	---	---
Contingent emergency appropriations	(54,000)	---	---
Rescission	(-65,000)	(-30,000)	(-80,000)
TITLE II - RELATED AGENCIES			
DEPARTMENT OF AGRICULTURE			
FOREST SERVICE			
Forest and Rangeland Research			
Forest and rangeland research	241,304	242,798	251,685
State and Private Forestry			
Forest Health Management			
Federal lands forest health management	43,304	44,374	50,374
Cooperative lands forest health management	25,000	25,038	31,038
Emerging pest and pathogens fund	---	11,968	---
Subtotal, Forest Health Management	68,304	81,380	81,412
Cooperative Fire Assistance			
State fire assistance	25,310	25,353	25,653
Volunteer fire assistance	5,053	5,040	5,040
Subtotal, Cooperative Fire Assistance	30,363	30,393	30,693
Cooperative Forestry			
Forest stewardship	33,171	---	32,221
Conservation	---	49,526	---
Stewardship incentives	3,000	---	---
Forest Legacy	---	---	68,827
Forest legacy program (conservation)	65,000	69,797	---
Urban and Community Forestry	---	---	36,235
Urban and community forestry (conservation)	36,000	36,235	---
Economic action programs	35,680	---	26,440
Pacific Northwest assistance programs	9,425	---	---
Forest resource information and analysis	5,015	4,996	4,996
Subtotal, Cooperative Forestry	187,291	160,554	168,719
International forestry	5,263	5,036	5,750
Total, State and Private Forestry	291,221	277,363	286,574
Appropriations	(190,221)	(121,805)	(286,574)
Conservation	(101,000)	(155,558)	---
National Forest System			
Land management planning	70,358	72,195	72,195
Inventory and monitoring	173,316	176,306	175,356
Recreation, heritage and wilderness	245,500	252,444	254,194
Wildlife and fish habitat management	131,847	133,506	133,806
Grazing management	34,775	35,850	40,850
Forest products	266,340	264,753	265,353
Vegetation and watershed management	190,113	190,644	190,944
Minerals and geology management	48,956	53,635	52,635
Landownership management	88,434	91,016	93,016
Law enforcement operations	79,000	80,142	80,800
Valles Caldera National Preserve	2,800	984	3,150
Expedited consultations	---	15,000	---
Total, National Forest System	1,331,439	1,366,475	1,362,299

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Wildland Fire Management			
Preparedness	622,618	600,703	616,000
Fire suppression operations	255,321	420,699	420,699
Other operations	336,410	347,736	343,239
Suppression (contingent emergency appropriations)	266,000	---	---
Other operations (contingent emergency appropriations)	80,000	---	---
Total, Wildland Fire Management	1,560,349	1,369,138	1,379,938
Capital Improvement and Maintenance			
Facilities	185,447	200,500	203,636
Roads	229,666	231,893	232,858
Trails	70,075	68,829	69,679
Infrastructure improvement	---	---	45,866
Conservation (infrastructure improvement)	61,000	50,866	---
Total, Capital Improvement and Maintenance	546,188	552,088	552,039
Appropriations	(485,188)	(501,222)	(552,039)
Conservation	(61,000)	(50,866)	---
Land Acquisition			
Forest Service			
Acquisitions	---	---	114,315
Conservation	132,242	112,746	---
Acquisition management	---	---	15,000
Conservation	13,000	17,764	---
Cash equalization	---	---	1,500
Conservation	1,500	---	---
Forest inholdings	2,000	---	---
Wilderness inholdings/wilderness protection	---	---	3,000
Conservation	1,000	---	---
Total, Land Acquisition	149,742	130,510	133,815
Acquisition of lands for national forests, special acts	1,069	1,069	1,069
Acquisition of lands to complete land exchanges	234	234	234
Range betterment fund	3,290	3,402	3,402
Gifts, donations and bequests for forest and rangeland research	92	92	92
Management of national forest lands for subsistence uses	5,488	5,542	5,542
Reduction for conservation funding	-2,000	-2,000	---
Conservation (Youth Conservation Corps)	2,000	2,000	---
TOTAL, FOREST SERVICE	4,130,416	3,948,711	3,976,689
Appropriations	(3,470,674)	(3,609,777)	(3,976,689)
Conservation	(313,742)	(338,934)	---
Contingent emergency appropriations	(346,000)	---	---
DEPARTMENT OF ENERGY			
Clean Coal Technology			
Deferral	-40,000	---	-87,000
(Transfer to Fossil Energy)	(-33,700)	(-40,000)	---
Fossil Energy Research and Development			
Clean coal power initiative	116,300	110,000	150,000
(By transfer from Clean Coal Technology)	(33,700)	(40,000)	---
Total, Program level	(150,000)	(150,000)	(150,000)
Fuels and Power Systems			
Central Systems			
Innovations for existing plants	23,500	21,200	22,200

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Advanced Systems			
Integrated gasification combined cycle	43,000	40,650	44,650
Pressurized fluidized bed systems	11,000	9,100	10,400
Turbines	18,500	14,000	17,000
Subtotal, Advanced Systems	72,500	63,750	72,050
Subtotal, Central Systems	96,000	84,950	94,250
Distributed Generation Systems - Fuel Cells			
Advanced research	4,000	3,000	3,500
Systems development	13,500	10,000	10,000
Vision 21-hybrids	13,500	11,500	13,500
Innovative concepts	27,124	22,500	34,000
Novel generation	---	2,500	3,025
Subtotal, Distributed Generation Systems - Fuel Cells	58,124	49,500	64,025
Sequestration R&D			
Greenhouse gas control	32,177	54,000	40,200
Fuels			
Transportation fuels and chemicals	24,000	5,000	22,100
Solid fuels and feedstocks	5,000	---	6,000
Advanced fuels research	3,200	---	3,300
Subtotal, Fuels	32,200	5,000	31,400
Advanced Research			
Coal utilization science	6,250	8,000	9,000
Materials	7,000	9,000	9,000
Technology crosscut	10,750	9,150	11,150
University coal research	3,000	4,000	3,000
HBCUs, education and training	1,000	1,500	1,000
Subtotal, Advanced Research	28,000	31,650	33,150
Subtotal, Fuels and Power Systems	246,501	225,100	263,025
Gas			
Natural Gas Technologies			
Exploration and production	20,500	15,450	23,450
Gas hydrates	9,800	4,500	9,500
Infrastructure	10,050	---	9,050
Emerging processing technology applications	2,250	---	2,680
Effective environmental protection	2,600	2,640	2,640
Subtotal, Gas	45,200	22,590	47,320
Petroleum - Oil Technology			
Exploration and production supporting research	32,350	16,400	23,400
Reservoir life extension/management	12,949	9,500	9,000
Effective environmental protection	10,700	9,500	9,900
Subtotal, Petroleum - Oil Technology	55,999	35,400	42,300
Cooperative R&D	8,240	6,000	8,240
Fossil energy environmental restoration	9,500	9,715	9,715
Import/export authorization	2,400	2,500	3,000
Headquarters program direction	18,700	19,820	18,900
Energy Technology Center program direction	67,300	64,880	68,900
General plant projects	13,450	2,000	7,000
Advanced metallurgical processes	5,200	5,300	6,000
Use of prior year balances	-6,000	-14,000	---
National Academy of Sciences program review	---	---	500
Total, Fossil Energy Research and Development	582,790	489,305	624,900
Alternative Fuels Production			
Transfer to Treasury	-2,000	---	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Naval Petroleum and Oil Shale Reserves			
Oil Reserves			
Naval petroleum reserves Nos. 1 & 2	5,144	5,626	5,626
Naval petroleum reserve No. 3	7,235	7,250	7,250
Program direction (headquarters)	9,992	7,955	7,955
Use of prior year funds	-5,000	---	---
General reduction	---	---	-3,000
Total, Naval Petroleum and Oil Shale Reserves	17,371	20,831	17,831
Elk Hills School Lands Fund			
Elk Hills school lands fund	---	36,000	---
Advance appropriations, FY 2003	36,000	---	36,000
Total, Elk Hills School Lands Fund	36,000	36,000	36,000
Energy Conservation			
Building Technology, State and Community Sector			
Building research and standards			
Technology roadmaps and competitive R&D	6,857	2,357	2,357
Residential buildings integration	12,478	13,478	12,478
Commercial buildings integration	4,510	5,010	4,510
Equipment, materials and tools	38,547	31,718	40,418
Subtotal, Building research and standards	62,392	52,563	59,763
Building Technology Assistance			
Weatherization assistance	230,000	277,100	225,000
State energy program	45,000	38,798	45,000
Community partnerships	18,788	20,037	18,037
Energy star program	3,000	6,200	4,200
Subtotal, Building technology assistance	296,788	342,135	292,237
Cooperative programs with States	2,000	---	---
Energy efficiency science initiative	4,000	---	---
Management and planning	15,090	14,093	14,093
Subtotal, Building Technology, State and Community Sector	380,270	408,791	366,093
Federal Energy Management Program			
Program activities	18,900	23,425	19,425
Program direction	4,400	4,455	4,455
Subtotal, Federal Energy Management Program	23,300	27,880	23,880
Industry Sector			
Industries of the future (specific)	72,624	71,615	72,115
Industries of the future (crosscutting)	60,900	57,109	58,609
Cooperative programs with States	2,000	2,000	---
Energy efficiency science initiative	4,000	---	---
Management and planning	9,400	7,635	7,635
Subtotal, Industry Sector	148,924	138,359	138,359
Power Technologies			
Distributed generation technologies development	61,896	62,284	69,034
Management and planning	1,950	1,620	1,620
Subtotal, Power Technologies	63,846	63,904	70,654
Transportation			
Vehicle technology R&D	155,122	149,280	164,280
Fuels utilization R&D	25,908	18,483	20,183
Materials technologies	40,293	29,800	37,400
Technology deployment	15,160	15,000	16,100
Cooperative programs with States	2,000	---	---
Energy efficiency science initiative	4,000	---	---
Management and planning	10,232	10,101	10,101
Subtotal, Transportation	252,715	222,664	248,064
Policy and management	43,750	40,053	42,053

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
National Academy of Sciences program review	---	---	500
Cooperative programs with States	---	---	3,000
Energy efficiency science initiative	---	---	5,000
Total, Energy Conservation	912,805	901,651	897,603
Economic Regulation			
Office of Hearings and Appeals	1,996	1,487	1,487
Strategic Petroleum Reserve			
Storage facilities development and operations	154,009	154,856	158,856
Home heating oil reserve	8,000	---	---
Management	17,000	14,000	14,000
Total, Strategic Petroleum Reserve	179,009	168,856	172,856
SPR Petroleum Account			
Oil acquisition	---	11,000	7,000
Rescission of previously appropriated funds	---	---	-5,000
Total, SPR petroleum account	---	11,000	2,000
Northeast Home Heating Oil Reserve			
Northeast home heating oil reserve	---	8,000	6,000
Energy Information Administration			
National Energy Information System	78,499	80,611	81,111
Use of prior year balances	---	-500	-500
Total, Energy Information Administration	78,499	80,111	80,611
TOTAL, DEPARTMENT OF ENERGY	1,766,470	1,717,241	1,752,288
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
INDIAN HEALTH SERVICE			
Indian Health Services			
Clinical Services			
IHS and tribal health delivery			
Hospital and health clinic programs	1,153,711	1,188,540	1,219,917
Dental health program	95,305	100,085	100,285
Mental health program	47,142	50,626	50,626
Alcohol and substance abuse program	135,005	137,744	137,744
Contract care	460,776	468,130	478,130
Subtotal, Clinical Services	1,891,939	1,945,125	1,986,702
Preventive Health			
Public health nursing	37,781	39,875	39,875
Health education	10,628	11,063	11,063
Community health representatives program	49,789	50,774	50,774
Immunization (Alaska)	1,526	1,556	1,556
Subtotal, Preventive Health	99,724	103,268	103,268
Urban health projects	30,947	31,528	31,528
Indian health professions	31,165	35,373	31,318
Tribal management	2,406	2,406	2,406
Direct operations	55,323	54,474	60,570
Self-governance	9,876	10,089	5,589
Contract support costs	268,234	270,734	270,734
Medicare/Medicaid Reimbursements			
Hospital and clinic accreditation (Est. collecting)	(499,985)	(449,985)	(449,985)
Total, Indian Health Services	2,389,614	2,452,997	2,492,115

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Indian Health Facilities			
Maintenance and improvement	46,331	47,331	49,831
Sanitation facilities	93,827	93,983	93,827
Construction facilities	86,260	72,000	82,119
Facilities and environmental health support	126,775	132,963	133,119
Equipment	16,294	16,294	17,294
Total, Indian Health Facilities	369,487	362,571	376,190
TOTAL, INDIAN HEALTH SERVICE	2,759,101	2,815,568	2,868,305
OTHER RELATED AGENCIES			
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION			
Salaries and expenses	15,148	14,491	14,491
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT			
Payment to the Institute	4,490	5,130	5,490
SMITHSONIAN INSTITUTION			
Salaries and Expenses			
Museum and Research Institutes			
Anacostia Museum and Center for African American History and Culture	1,932	1,981	1,981
Archives of American Art	1,738	1,802	1,802
Arthur M. Sackler Gallery/Freer Gallery of Art	6,098	6,168	6,168
Center for Folklife and Cultural Heritage	1,850	1,911	1,911
Cooper-Hewitt, National Design Museum	2,942	3,050	3,050
Hirshhorn Museum and Sculpture Garden	4,771	4,724	4,724
National Air and Space Museum	16,599	20,402	20,402
National Museum of African Art	4,334	4,464	4,464
National Museum of American Art	8,265	8,327	8,327
National Museum of American History	20,800	21,604	22,354
National Museum of the American Indian	27,899	33,616	33,616
National Museum of Natural History	43,404	44,982	44,982
National Portrait Gallery	5,626	5,550	5,550
National Zoological Park	22,027	24,275	24,675
Astrophysical Observatory	20,546	21,121	21,121
Center for Materials Research and Education	3,357	3,460	3,460
Environmental Research Center	3,391	3,510	3,510
Tropical Research Institute	10,581	11,029	11,529
Subtoal, Museums and Research Institutes	206,160	221,976	223,626
Program Support and Outreach			
Outreach	8,193	8,383	8,383
Communications	1,617	1,356	1,356
Institution-wide programs	5,506	6,006	6,006
Office of Exhibits Central	2,494	2,588	2,588
Major scientific instrumentation	6,229	5,000	5,000
Museum Support Center	3,074	2,469	2,469
Smithsonian Institution Archives	1,611	1,674	1,674
Smithsonian Institution Libraries	7,437	8,488	8,488
Subtotal, Program Support and Outreach	36,161	35,964	35,964
Administration	43,376	53,976	53,976
Facilities Services			
Office of Protection Services	37,383	58,674	58,674
Office of Physical Plant	76,173	90,965	90,965
Subtotal, Facilities Services	113,556	149,639	149,639
Emergency appropriations (P.L. 107-117)	21,707	---	---
Offsetting reduction	---	-12,795	---
Rescission of prior year unobligated funds	---	-14,100	-14,100
Total, Salaries and Expenses	420,960	434,660	449,105

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Repair, Restoration and Alteration of Facilities			
Base program	67,900	81,300	83,425
Construction			
Museum support center	---	2,000	---
National Museum of the American Indian	30,000	10,000	16,000
Total, Construction	30,000	12,000	16,000
TOTAL, SMITHSONIAN INSTITUTION	518,860	527,960	548,530
NATIONAL GALLERY OF ART			
Salaries and Expenses			
Care and utilization of art collections	26,019	25,721	27,920
Operation and maintenance of buildings and grounds	14,908	19,907	16,708
Protection of buildings, grounds and contents	14,837	17,845	17,845
General administration	13,203	14,746	14,746
Emergency appropriations (P.L. 107-117)	2,148	---	---
Total, Salaries and Expenses	71,115	78,219	77,219
Repair, Restoration and Renovation of Buildings			
Base program	14,220	16,230	16,230
TOTAL, NATIONAL GALLERY OF ART	85,335	94,449	93,449
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS			
Operations and maintenance	15,000	16,310	16,310
Emergency appropriations (P.L. 107-117)	4,310	---	---
Construction	19,000	17,600	17,600
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	38,310	33,910	33,910
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS			
Salaries and Expenses			
Fellowship program	1,218	1,259	1,259
Scholar support	615	659	659
Public service	2,164	2,261	2,261
General administration	1,656	1,968	1,968
Smithsonian fee	208	208	208
Conference planning	1,770	1,968	1,968
Space	165	165	165
TOTAL, WOODROW WILSON CENTER	7,796	8,488	8,488
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES			
National Endowment for the Arts			
Grants and Administration			
Grants			
Direct grants	47,827	47,271	47,271
Challenge America grants	---	---	17,000
State partnerships			
State and regional	25,118	24,802	24,802
Underserved set-aside	6,805	6,712	6,712
Subtotal, State partnerships	31,923	31,514	31,514
Subtotal, Grants	79,750	78,785	95,785

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
Program support	1,154	1,304	1,304
Administration	17,330	19,400	19,400
Total, Arts	98,234	99,489	116,489
National Endowment for the Humanities			
Grants and Administration			
Grants			
Federal/State partnership	31,829	31,829	31,829
Preservation and access	18,905	18,905	18,905
Public programs	13,114	13,114	13,114
Research programs	13,063	13,063	13,063
Education programs	12,624	12,624	12,624
Program development	397	397	397
Subtotal, Grants	89,932	89,932	89,932
Administrative Areas			
Administration	18,450	19,700	19,700
Total, Grants and Administration	108,382	109,632	109,632
Matching Grants			
Treasury funds	4,000	5,686	5,686
Challenge grants	10,436	10,436	10,436
Regional humanities centers	1,686	---	---
Total, Matching Grants	16,122	16,122	16,122
Total, Humanities	124,504	125,754	125,754
Institute of Museum and Library Services/ Office of Museum Services			
Grants to Museums			
Support for operations	15,932	---	---
Support for conservation	3,130	---	---
National leadership grants	5,167	---	---
Subtotal, Grants to Museums	24,229	---	---
Program administration	2,670	---	---
Total, Institute of Museum and Library Services	26,899	---	---
Challenge America Arts Fund			
Challenge America grants	17,000	17,000	---
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	266,637	242,243	242,243
COMMISSION OF FINE ARTS			
Salaries and expenses	1,224	1,224	1,224
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS			
Grants	7,000	7,000	7,000
ADVISORY COUNCIL ON HISTORIC PRESERVATION			
Salaries and expenses	3,400	3,667	3,667
NATIONAL CAPITAL PLANNING COMMISSION			
Salaries and expenses	7,253	7,253	7,253
Emergency appropriations (P.L. 107-117)	758	---	---
Total, National Capital Planning Commission	8,011	7,253	7,253

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(AMOUNTS IN THOUSANDS)

	FY 2002 Enacted	FY 2003 Request	Conference
UNITED STATES HOLOCAUST MEMORIAL MUSEUM			
Holocaust Memorial Museum	36,028	38,663	38,663
PRESIDIO TRUST			
Operations	23,125	21,327	21,327
Total, Presidio Trust	23,125	21,327	21,327
TOTAL, TITLE II, RELATED AGENCIES	9,671,351	9,487,325	9,623,017
Appropriations	(8,988,686)	(9,162,491)	(9,693,117)
Conservation	(313,742)	(338,934)	---
Advance appropriations	(36,000)	---	(36,000)
Emergency appropriations	(28,923)	---	---
Contingent emergency appropriations	(346,000)	---	---
Rescission	(-2,000)	(-14,100)	(-19,100)
Deferrals	(-40,000)	---	(-87,000)
GRAND TOTAL, ALL TITLES	19,157,770	18,938,078	19,078,125

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

[in thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$19,157,770
Budget estimates of new (obligational) authority, fiscal year 2003	18,938,078
House bill, fiscal year 2003	20,450,125
Senate bill, fiscal year 2003	18,973,625
Conference agreement, fiscal year 2003	19,078,125
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−79,645
Budget estimates of new (obligational) authority, fiscal year 2003	+140,047
House bill, fiscal year 2003	−1,372,000
Senate bill, fiscal year 2003	+104,500

DIVISION G—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS 2003

In implementing this agreement, the Departments and agencies should follow the language and instructions set forth in the explanatory statement of the Managers in the Senate accompanying H.J. Res. 2 that appears in the Congressional Record of January 15, 2003. With respect to the provisions in the Senate explanatory statement that specifically address the allocation of funds, each has been reviewed by the conferees and those that are jointly concurred have been endorsed in this joint statement.

In the cases where the Senate explanatory statement requests a report, the conferees are agreed that departments and agencies have up to 90 days beyond the due date specified in the Senate explanatory statement to submit the report.

The conferees are aware of several instances during the past year where the Departments funded in the Labor, Health and Human Services, Education and Related Agencies Appropriations Act have failed to consult with, or timely notify, the House and Senate Appropriations Committees about significant budgetary actions and the reorganization of departmental offices, programs, and activities. Moreover, some Departments have become too lax in responding to the requests for information or reports from the Committees. The conferees believe that timely, accurate and complete information is critical in order for the Appropriations Committees to meet their oversight responsibilities. The conferees fully expect that the Departments funded in this bill will be more responsive to the Committees in this regard.

Therefore, the conferees concur with language included in the explanatory statement of the Senate regarding reprogramming and the initiation of new programs. The conferees direct that the Departments and agencies funded through this Division make a written request to the chairmen of the Committees prior to the reprogramming of funds in excess of 10 percent, or $500,000, whichever is less, between programs, activities, or elements unless an alternate amount for the agency in question is specified elsewhere in this Division of this statement. The conferees further agree that a reprogramming request is required for actions involving less than the above-mentioned amounts if such actions would have the effect of changing an agency's funding requirements in future years or if the action can be construed to be the initiation of a new program.

Second, the conferees reiterate that the Committees be notified regarding reorganization of offices, programs, or activities prior to the planned implementation of such reorganizations.

Third, the conferees request that each Department institute a tracking system for reports requested by the Committees in order to ensure their timely submission.

Finally, the conferees concur with language in the explanatory statement of the Senate that statements on the effect of this division of this appropriation Act be submitted to the Committees within 60 days of enactment of this Act.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003, put in place by this resolution, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes $5,218,070,000 for training and employment services instead of $5,138,513,000 as proposed by H.R. 246 and $5,120,084,000 as proposed by the Senate. Of the amount appropriated, $2,463,000,000 is an advance appropriation for fiscal year 2004, as proposed by H.R. 246 the Senate.

The conference agreement includes $1,000,965,000 for Youth Training, which is the Senate level. Funding for the Youth Opportunity Grants, $44,500,000, provided within the total for this activity in H.R. 246, is provided separately in the conference agreement as proposed by the Senate. These grants are aimed at increasing the long-term employment of youth who live in empowerment zones, enterprise communities, and other high-poverty areas.

The conference agreement includes $1,463,770,000 for the Dislocated Worker program instead of $1,484,500,000 as proposed by H.R. 246 and $1,383,040,000 as proposed by the Senate. The conferees override the formula that provides that 80 percent of the funds provided will be used for State formula grants and 20 percent for National Emergency Grants, providing $1,157,162,000 for the States and $306,608,000 for the National Reserve. Within the National Reserve, the conference agreement includes $30,000,000 to fund National Emergency Grants authorized in the Trade Act of 2002 to support State administration of health insurance tax credits for eligible participants.

The conference agreement includes $56,000,000 for Native Americans instead of $55,000,000 as proposed by H.R. 246 and $57,000,000 as proposed by the Senate.

The conference agreement includes $77,836,000 for activities authorized under Section 167 of the Workforce Investment Act, reflected in two separate line items on the table accompanying the Conference Report: 'Migrant and Seasonal Farmworkers' and 'National Activities/Other'. Under the Migrant and Seasonal Farmworkers line item, the agreement provides $77,326,000. The conference agreement includes bill language directing that $4,640,000 of this amount be used for migrant and seasonal farmworker housing grants. This agreement also provides that the remaining amount be used for State service area grants, including funding grantees in those States impacted by formula reductions at no less than eighty-five percent of the comparable 1998 levels for such States. Within the National Activities/Other line item, the Conference agreement includes $510,000 to be used for Section 167 training, technical assistance and related activities, including continuing funding for migrant rest center activities at the current level.

The conference agreement includes $1,518,550,000 for Job Corps. Within the total, $1,391,000,000 is provided for continuing operations of the program and $127,550,000 is for renovation and construction of Job Corps centers. The conferees are pleased with the prompt attention given by the Department to developing the selection process for new Job Corps centers. The conferees intend that the Department shall give priority to communities in major metropolitan areas that demonstrate strong linkages with local school systems, post-secondary education systems, employers, faith-based and community organizations and child care facilities. In an effort to maximize the U.S. taxpayer's investment in Federal programs, priority should also be given to sites that incorporate co-location models that may include Job Corps along with programs such as Head Start and State or local community colleges and vocational technical schools. Additionally, priority should be given to sites that have high numbers of at-risk youth and currently export the majority of their State's eligible students to Job Corps centers in other States and regions.

The conferees are aware of the controversy over the accuracy of financial reporting under the Workforce Investment Act, and intend to carefully monitor the spending situation, recognizing the vital role of the workforce system at a time of economic slowdown.

With respect to the projects listed below for pilots and demonstrations, the conferees encourage the Department to ensure that these projects are coordinated with local Workforce Investment Boards. The conferees also encourage the Department to ensure that project performance is adequately documented and evaluated. The conference agreement includes the following amounts for the following projects and activities:

ABCD Devorris Center for Business Development	$250,000
Advanced Electronics Technology Education Project in Alabama to educate the workforce for the 21st century high tech economy	500,000
Alaska's People (Division of Cook Inlet Tribal Council) to train 245 Anchorage-area low-income Natives for construction, repair jobs, including gaining required certifications	100,000
Alcorn State University in Mississippi for training programs in support of the development of minority high-tech businesses	900,000
American Indian Science and Engineering Society for the Rural Computer Utilization Training Program	100,000
Automated Nursery Project in Mississippi	1,000,000
Bay Area Community Health Partnership in Green Bay, Wisconsin for nurse training programs	650,000
Bay Area Vidio Coalition, San Francisco, CA, to develop on-line, interactive training for low income individuals	300,000

Bethel Community Facility, Chicago Heights, IL, for development of job training initative with at-risk, homeless population 125,000
Bishops Museum 400,000
Bismarck State College in Bismarck, North Dakota, to provide training and continuing education related to electric power plant technologies and operations 400,000
Center for Career and Employment Training, Bala Cynwyd, PA, to train urban, minority workers for entry-level management positions 200,000
Central Iowa Employment & Training Consortium for a resource center for disabled and disadvantaged individuals 800,000
Central PA Workforce Development Corporation .. 125,000
Chattanooga State Technical Community College, Tennessee, for Tennessee Valley Workforce Aging Management Program initiative 500,000
Chester County Department of Community Developmen/The Reinvestment Fund, PA 250,000
Chicago Southland Alliance, Chicago Heights, IL, to recruit and train health care professionals 250,000
City of Peoria, Illinois, for training to unemployed and underemployed individuals in biosciences workforce development .. 100,000
Clark County, NV for training programs designed to move youth into higher paying construction jobs 250,000
Clark State Community College, Springfield, Ohio, for Integrated Systems Technologists Maintenance Training Program 200,000
Cleveland State University, Cleveland, Ohio, for Ohio Center for the Advancement of Women in Public Service 100,000
Coastal Enterprises, Inc., Wiscasset, ME, for training low income rural populations 100,000
Collegiate Consortium for Workforce and Economic Development (formerly Shipyard College) Philadelphia, PA, for workforce development and training in the Philadelphia region 250,000
Community Economic Empowerment Corporation, Louisville, Kentucky for employment training programs 40,000
Community Empowerment Association, Inc., Pittsburgh, PA, for data bank development for jobs needed in the construction trade, health care, services and manufacturing industries 100,000
Community Loan Fund of Southwestern Pennsylvania, Pittsburgh, PA, to expand the ''Family Wage Job Initiative,'' which will provide resources and create family wage jobs in nine Southwestern PA counties 200,000
Contra Costa Community College District, Walnut Creek, CA, for Regional Training Institute 275,000
Delta Center for Career and Workforce Education for workforce training for adults in the Mississippi Delta 1,000,000
Des Moines Area Community College to create a Career Technology Center 250,000
Essex County College, Newark, NJ, for the Technical Training Project 70,000
Everett Community College, Everett, WA, for the Radiology Technology Program 200,000
Family Service League of Suffolk County, Inc., Bay Shore, NY, for Work Plus 100,000
Federation of Southern Cooperatives, for education and training of low-income farmers and their families 500,000
First Alaskans Foundation in conjunction with Alaska Works program continuation to train Alaska Natives as petroleum industry workers 500,000
Flathead Valley Community College in Kalispell, Montana for the development of occupational and vocational programs 700,000
Goodwill Industries of Southeast Wisconsin for a job training program for disadvantaged adults in construction and other positions 100,000
Henderson Community College in Kentucky for adult educational and training programs 100,000
High Tech Training—Maui, Hawaii 300,000
Homies, Initiating New Communities, Los Angeles, CA, to replicate job training program for at-risk youth 100,000
Human Services Agency, County of Ventura, California, for a Skill Training Program for Welfare recipients 100,000
Institute for Advanced Learning and Research for curriculum development and equipment to help develop and innovative high tech workforce in Southside, Virginia 100,000
International Brotherhood of Electrical Workers L.U. 363 and Hudson Vallely N.E.C.A. Regional Training Facility, Harriman, NY, for 21st Century training 100,000
Intertribal Bison Cooperative in Rapid City, SD to provide employment training 100,000
Kankakee Community College, Kankakee, Illinois, for Integrated Systems Technology Pilot program to train individuals to maintain high-tech industrial equipment found in manufacturing facilities 500,000
Kingston-Newburgh Enterprise Community, Newburgh, NY, to train at-risk youth and expand nurse mentoring program 400,000
Lehigh Valley Workforce Investment Board, Inc., for integrated regional training and employment curriculum for skilled workers to assist the manufacturing industry in the Lehigh Valley 100,000
Louisville Central Community Center, Inc., Louisville, Kentucky, for job readiness training and job placement program for adults who are underemployed 15,000
Maine Manufacturing Extension Partnership to provide training to the manufacturing workforce in the region 750,000
Martin Luther King, Jr., Business Empowerment Center, Worcester, MA, for job training for minority workers 100,000
Mat-Su School District Vocational training for youth in Mat-Su Valley .. 150,000
Maui Economic Development Board for the Rural Computer Utilization Training Program 300,000
MECA United Cerebral Palsey, Erie, PA, to establish a job training program for disabled persons 50,000
Michigan Technology Commercialization Cooperation, Dexter, Michigan, for the implementation of a program that facilitate the creation of new companies and jobs 500,000
Military Educational Training Enhancement Fund, Carville, Louisiana, for a job challenge program for at risk youth 300,000
Milwaukee Area Technical College to implement the new manufacturing skill standards and develop a companion assessment and certification system 250,000
Minot State University, Minot, North Dakota, for the Minot Job Corps Fellowship Training Program 400,000
Mississippi State University, for the Center for Advance Vehicular Systems to develop workforce training systems 950,000

Mott Community College, Flint, MI, for complementation of the Mott Workforce Development Institute for Manufacturing Simulation 830,000

Muhlenberg Resource Center, Muhlenberg College, Allentown, PA, for programs to overcome language barriers, improve workplace ethics and career development 100,000

National Student Partnerships, Washington, DC, for National Service Program training activities 400,000

Nevada Women's Fund in Reno, Nevada for a comprehensive study on the status of women and girls in Nevada to tailor workforce initiatives 50,000

North Central Wisconsin Workforce Development Board to establish simulated clinical and laboratory facilities to provide training to nurses and technicians 400,000

North Central Workforce Investment Board, Ridgway, Pennsylvania .. 200,000

Oklahoma University Cancer Center 150,000

Opportunity Inc., Highland Park, Illinois, for a job training opportunities 375,000

Opportunity, Inc. in Highland Park, IL to implement a model job training program to integrate workers with disabilities into a manufacturing workplace 25,000

Patrick County Education Foundation, Stuart, VA, for workforce development project for rural communities 282,000

Pennsylvania Assosciation for Individuals with Disabilities, Johnstown, PA, for development of job opportunities for persons with disabilities 150,000

Pennsylvania Women Work, Pittsburgh, Pennsylvania, for job training and employment services to single parents, displaced homemakers and low-income heads of household 100,000

Petersburg/Newburg Improvement Association, Louisville, Kentucky, for employment training programs 15,000

Philadelphia Opportunities Industrialization Center, Inc., PA 200,000

Pine Street Inn in Boston, MA to provide job skills training to the homeless 125,000

Pittsburgh Life Sciences Greenhouse, PA, for job training programs related to growing biotech industry 100,000

Potential Reentry Opportunities in Business and Education (PROBE), Lebanon, PA, for job training in nontraditional jobs or occupational training for dislocated workers and single parents 50,000

Pride Industries, Roseville, CA, to create long-terms jobs for persons with disabilities and other barriers to employment 600,000

Project Amiga, South El Monte, CA, for the Tele-Village Program 250,000

Puget Sound Center for Teaching, Learning and Technology, Bothell, WA, for Future-Ready Workforce Project 250,000

Rebuild, Inc., Canton, Ohio, for workforce development 250,000

Remote Rural Hawaii Job Training Project 1,500,000

Residential Care Consortium, Easton, PA, for job placement & training for young adults who are aging out of residential placements 100,000

Safer Foundation, Harvey, IL, for the Workplace Acclimation Program for Ex-Offenders 225,000

Samoan/Asian Pacific Job Training, Hawaii Community Foundation 500,000

San Diego Workforce Partnership, San Diego, California, for planning and evaluation, and to develop a curriculum for the Pacific Center 175,000

South Carolina Manufacturing Extension Partnership, Columbia, South Carolina, to train workers on the principles of lean manufacturing 166,000

Southeast Missouri State University, Cape Giradeau, Missouri, for economic and workforce development 500,000

Springfield Technical Center in Springfield, VT, for job training activities 300,000

St. Stephen Lifestyle Enrichment Center in Kentucky for adult education and job training programs 250,000

State of Mississippi Automotive Workforce Training Program 2,500,000

Telacu Education Foundation in Los Angeles for a Community-Based Nursing Careers Program 900,000

The Joblinks program 500,000

Thunderbird Trades Academy, Oklahoma City, Oklahoma 100,000

Training & Education Opportunities at the University of Hawaii at Maui 1,800,000

Umpqua Community College E-Commerce Training Center, Roseburg, Oregon, to provide job training 50,000

United Mine Workers of America, Fairfax, VA, for UMWA Career Centers, Inc 1,000,000

University of Akron, Ohio, for Medina Campus to establish a workforce development/vocational rehabilitation project to meet the needs of the region's workforce 1,500,000

University of Alaska-Anchorage Center for Human Development for training of health care personnel 400,000

University of Idaho Alternative Careers 900,000

University of Mississippi to support real time captioning efforts for court reporting school 500,000

University of Northern Iowa Immigration Services for Iowa's Communities 375,000

University Technology Park (Chester) for the administration of a Computer and Internet Training Center to train working poor and youth in high-tech skills 75,000

Urban League of Metropolitan Denver, Denver, CO, for Project Connect Technical Training Program 150,000

Valley Economic Development Center, Van Nuys, CA, for the Pacoima Workforce Development Initiative to train low-income inner-city and minority families 250,000

Valley Initiative for Development and Advancement, Weslaco, TX, for Community Based Workforce Demonstration Project 350,000

Valley Packaging Industries, Inc., in Appleton, Wisconsin to provide job training and support for homeless shelter residents and non-English speaking workers 83,000

Vermilion Community College, Ely, MN, for development of a Professional Forest Harvester program 500,000

Vietnam Veterans Leadership Program of Western Pennsylvania, Pittsburgh, PA, for the Jobs for Veterans Project 250,000

W.J. Usery Center, Atlanta, Georgia, for training and technical assistance seminars 100,000

Washington State University, Pullman, Washington, for training and recruitment 50,000

West Virginia High Technology Consortium Foundation, Fairmont, West Virginia, for the Collaborative Information Technology Training Program 700,000

Western Wisconsin Workforce Development Boards, Inc., in La Crosse, Wisconsin to provide customized training for Certified Nurse Practitioners and Licensed Practical Nurses 150,000

Westside Industrial Retention and Expansion Network, Cleveland, Ohio, for continuation of projects	500,000
William F. Goodling Regional Advanced Skills Center to train dislocated workers in the manufacturing industry	200,000
Workforce Initiative Association, Canton, Ohio, for the Business Services Unit Demo project	500,000
Wrightco Technologies, Inc., PA	250,000
Young Community Developers, Inc., San Francisco, CA, to train low income residents as environmental remediation specialists	350,000
Youth Opportunities in Retailing, Inc., to work in cooperation with schools and community organizations to teach sales and service skills to develop a future workforce.	200,000

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

The conference agreement appropriates $445,200,000 for Community Service Employment for Older Americans, instead of $440,200,000 as proposed by H.R. 246 and the Senate.

PROGRAM ADMINISTRATION

The conference agreement appropriates $175,652,000 for Program Administration, instead of $172,061,000 as proposed by H.R. 246 and $177,642,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $383,607,000 for the Employment Standards Administration, Salaries and Expenses, instead of $380,757,000 as proposed by H.R. 246 and $385,457,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $37,657,000 to be made available to the Secretary from the fair share entities to pay the costs of administration of the Federal Employees' Compensation Act instead of $36,986,000 as proposed by H.R. 246. Within that total the conference agreement includes $12,027,000 for medical bill review and periodic roll management as proposed by the Senate, instead of $11,356,000 as proposed by H.R. 246.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $31,987,000 to be transferred to the Employment Standards Administration, $22,952,000 to be transferred to Departmental Management Salaries and Expenses, and $334,000 to be transferred to Departmental Management Office of the Inspector General as proposed by the Senate rather than $34,151,000, $24,033,000, and $345,000, respectively, as proposed by H.R. 246.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $453,256,000 for the Occupational Safety and Health Administration instead of $444,194,000 as proposed by H.R. 246 and $462,314,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, $3,200,000 is to be used to extend funding for Institutional Competency training grants provided that the grantee has demonstrated satisfactory performance.

The conference agreement does not include the $2,000,000 set-aside as proposed in the Senate bill pertaining to the re-issuance of an ergonomics standard.

The conferees understand that the Department has had a proposed reorganization of certain field offices in Maine under consideration for several months. However, the Department did not formally advise the Committees on Appropriations until February 10, 2003 regarding this proposal. The conferees do not consider this to be timely notification. Therefore, the conferees direct that the Department maintain the current organization of Maine field offices until the Congress has had sufficient time to review this proposal.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $274,741,000 for the Mine Safety and Health Administration instead of $254,323,000 as proposed by H.R. 246 and $271,841,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

Within the total, the conference agreement includes $2,000,000 to be available for mine rescue and recovery activities on a non-contingency basis as proposed by the Senate. The conference agreement also includes $10,000,000 to be available until expended for digitizing mine maps and for developing technology related to such activities as proposed by the Senate.

The conferees agree with the Senate explanatory statement included in the CONGRESSIONAL RECORD of January 15, 2003 pertaining to the National Academy of Sciences report on coal waste impoundments, except that the due date for the required study is changed from March 15, 2003 to August 15, 2003.

The conferees have included $3,000,000 for an award to the National Technology Transfer Center for a coalslurry impoundment pilot project in Southern West Virginia.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement includes $495,454,000 for the Bureau of Labor Statistics rather than $498,164,000 as provided by H.R. 246 and $497,054,000 by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes language that changes the period of availability for Occupational Employment Statistics funding from a program year basis to a fiscal year basis as proposed by the Senate. Within the total for the Employment and Unemployment Statistics activity, $5,000,000 is for the Mass Layoff Statistics program. Similar language was included in the Senate bill.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

The conference agreement includes $47,465,000 for the Office of Disability Employment Policy instead of $42,500,000 as proposed by H.R. 246 and $47,015,000 as proposed by the Senate.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement includes $390,379,000 for Departmental Management, Salaries and Expenses, instead of $294,413,000 as proposed by H.R. 246 and $396,623,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

The conference agreement includes $33,893,000 for administration and management rather than $32,670,000 as proposed by H.R. 246 and $30,191,000 as proposed by the Senate. Funds provided above the budget request for this activity may be used for the Departmental management crosscut.

The conference agreement does not include the $3,000,000 set-aside for the creation of an Office of Pension Participant Advocacy as proposed by the Senate.

The conference agreement includes $148,015,000 for the Bureau of International Labor Affairs (ILAB), instead of $54,574,000 as provided by H.R. 246. Within the total provided, $82,000,000 is to assist developing countries with the elimination of child labor. Of this amount, $45,000,000 is for the International Labor Organization's International Programme for the Elimination of Child Labor. In addition, $37,000,000 is provided for bilateral assistance, made available through September 30, 2004, to improve access to basic education in international areas with a high rate of abusive and exploitative child labor. The conference agreement further includes $20,000,000 for multilateral technical assistance and $17,000,000 for bilateral technical assistance. These funds help developing countries implement core labor standards, strengthen the capacities of Ministries of Labor to enforce national labor laws, and protect internationally-recognized worker rights. The conference agreement includes $5,000,000 for ILAB to build its own permanent capacity to monitor and report regularly and in-depth to the Congress on the extent to which foreign countries with trade and investment agreements with the United States respect internationally-recognized worker rights and effectively promote core labor standards. The conference agreement also includes $10,000,000 for global workplace-based HIV/AIDS education and prevention programs and $14,015,000 for Federal administration and other ILAB programs.

On June 18, 2002, the Department of Justice published final regulations regarding Executive Order 13166 pertaining to limited English proficiency. The conferees are concerned about the potential costs of implementation to the Department of Labor, State agencies, local workforce investment boards, and other grant recipients. Therefore, the Department should prepare a report by August 15, 2003 for the Committees on Appropriations which outlines implementation of the new policy guidance as interpreted by the Department including enforcement policies and costs to the Department and all affected entities, including State labor departments or agencies. In addition, the conferees request that the report also include what assistance the Department will offer to assist grant recipients in complying with the revised policy guidance.

VETERANS EMPLOYMENT AND TRAINING

The conference agreement appropriates $214,212,000 for Veterans Employment and Training, instead of $210,337,000 as proposed by H.R. 246 and $218,087,000 as proposed by the Senate. The detailed table at the end of this joint statement reflects the activity distribution agreed to by the conferees.

GENERAL PROVISIONS

EXECUTIVE ORDER 13126

The conference agreement includes a provision proposed by the Senate that none of the funds appropriated in this Act shall be obligated or expended for the procurement of

goods produced by forced or indentured child labor. H.R. 246 contained no similar provision.

DENALI COMMISSION

The conference agreement includes a provision proposed by the Senate that authorizes to be appropriated such sums as may be necessary to the Denali Commission to conduct job training where Denali Commission projects will be constructed. H.R. 246 contained no similar provision.

SOCIAL SECURITY DIVIDED RETIREMENT SYSTEM

The conference agreement does not include a provision proposed by the Senate to extend the Social Security divided retirement system authority to the State of Kentucky. H.R. 246 did not contain this provision.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes $6,497,630,000 for health resources and services, of which $6,472,630,000 is provided as budget authority and $25,000,000 is made available from the Public Health Service policy evaluation set-aside, instead of $5,885,497,000 as proposed by H.R. 246 and $6,280,681,000 as proposed by the Senate.

The conference agreement includes bill language identifying $40,000,000 for the rural hospital flexibility grants program instead of the $30,000,000 in H.R. 246 and $45,000,000 in the Senate bill. Within the total provided, $15,000,000 is for the Small Rural Hospital Improvement Grant program.

The conference agreement includes bill language identifying $298,153,000 for the construction and renovation of health care and other facilities, including the purchase of equipment. The Senate and H.R. 246 contained no similar provision. These funds are to be used for the following projects:

A.O. Fox Memorial Hospital, Oneonta, New York	$500,000
Access to Care Initiative, Luray, Virginia	400,000
Achievement Centers for Children, Cuyahoga County, Ohio	500,000
Adolescent Residential Center for Help (ARCH) in Anchorage, AK	1,500,000
Advocates for a Healthy Community, Missouri	150,000
Aging and Health Services Center	200,000
Alderson-Broaddus College in West Virginia	500,000
All Children's Hospital Pediatric Clinical Research Center, St. Petersburg, Florida	1,033,000
Allegheny-Clarion Valley Development Corp., PA	100,000
Alliance Community Hospital, for Endovascular surgery	600,000
Allied Services of Scranton, Allentown, PA	100,000
Alpha Community Ambulance Service, Inc., State College, Pennsylvania	100,000
Area 1 Agency on Aging, Del Norte County, California	100,000
Arkansas State University at Mountain Home	1,100,000
Atchison County Resource Center, Maryville, Missouri	300,000
Atlantic City Behavioral Health Center, Atlantic City, New Jersey	500,000
Aultman Health Foundation, Canton, Ohio	1,000,000
Aurora University, Aurora, Illinois, to establish an Institute for Collaboration in Education and Health Services	10,000,000
Ballarmine Health Science Center at the Bellarmine University, Louisville, Kentucky	800,000
Baptist Health Systems, Baptist Shelby Obstetrical Services Expansion Project, Alabaster, Alabama	500,000
Baptist Orange Hospital, Orange, Texas	350,000
Barnes-Kasson County Hospital, Susquehanna, Pennsylvania, for a magnetic resonance imaging unit and digital radiology equipment	850,000
Barnwell County Government, Barnwell, South Carolina, for new Health Services facility	166,000
Barry University Institute for Community Health and Minority Medicine, Miami Shores, Florida	700,000
Beaverton Health Clinic, Beaverton, Oregon	50,000
Benedictine Hospital, Kingston, New York	350,000
Benson Hospital, Benson, Arizona	500,000
Bertie County Rural Health Association, Winsor, North Carolina	500,000
Bethune Cookman College in Florida	900,000
Bowdle Healthcare Center in Bowdle, SD for technology and equipment	100,000
Boys Town Research Hospital, Lied Learning and Technology Center for Childhood Deafness and Vision Disorders in Omaha, Nebraska	1,000,000
Boys Village Youth and Family Services, Milford, Connecticut	400,000
Boys' Village, Inc., Smithville, Ohio, for Health and Wellness Center for middle and high school youth by keeping them from dropping out, teen pregnancy, targeting drug and alcohol abuse, and treating violent youths	500,000
Bradford Regional Medical Center, Bradford, Pennsylvania, for medical equipment	100,000
Brazos Valley Family Medicine Center, Bryan, Texas	250,000
Brownsville Community Health Center, Brownsville, Texas	300,000
Bucktail Medical Center, Renova, Pennsylvania, for medical equipment	100,000
Burlington School District, Vermont	100,000
Butler Hospital, Providence, Rhode Island	300,000
Camillus House, Miami, Florida	500,000
Cancer Research Center of Hawaii, Honolulu, Hawaii	500,000
Carol G. Simon Cancer Center, Florham Park, New Jersey	250,000
Carondelet St. Mary's Hospital, Tucson, Arizona	600,000
Catholic Health Systems, Buffalo, New York, for Our Lady of Victory Neighborhood	500,000
Catskill Regional Medical Center, Harris, New York	350,000
Center for Families and Children, Cleveland, Ohio	300,000
Charles Cole Memorial Hospital, Coudersport, Pennsylvania, for medical equipment	100,000
Children's Home of Wheeling, Inc., in Wheeling, West Virginia	150,000
Children's Hospital and Regional Medical Center, Seattle, Washington	300,000
Children's Hospital of Central California for construction of the Pediatric Trauma Unit, Los Angeles, CA	150,000
Children's Hospital of San Diego, San Diego, California	475,000
Children's Medical Center of Dayton, Dayton, OH	543,000
Children's Memorial Hospital and Children's Memorial Institute for Education and Research, Chicago, Illinois	650,000
Children's National Medical Center, Washington, D.C.	300,000
Chippewa Valley Technical College, Eau Claire, Wisconsin	500,000
Christopher Rural Health Planning Corporation, Christopher, Illinois, for Mt. Vernon Community Health Center	380,000
Cincinnati Children's Hospital Medical Center, Cincinnati, Ohio	794,000
City of Abilene, Texas	650,000
City of Austin, South Austin Public Health and Neighborhood Center, Austin, Texas	500,000
City of El Paso, Texas	350,000
City of Glendale, California, for the Edison-Pacific Community Medical Clinic	100,000
Clark County, NV, Health District for a public health laboratory	338,000
Clearfield Hospital, Clearfield, Pennsylvania, for medical equipment	100,000
Clearwater Valley Hospital and Clinics	500,000
Cleveland Clinic Foundation, Cleveland, Ohio, for a Heart center	1,000,000
Cleveland Clinic Foundation, Cleveland, Ohio, for a Men's Minority Health Center	1,000,000
Cold Spring Harbor Laboratory in New York for a Women's Cancer Genomics Center	500,000
Colorado State University	500,000
Columbia Memorial Hospital, Hudson, New York	825,000
Columbus Children's Hospital, Children's Research Institute (CRS), Columbus, Ohio, to purchase equipment	921,000
Columbus Community Hospital Foundation, Columbus, Wisconsin	650,000

Commonwealth of Virginia, Division of Consolidated Laboratories	250,000
Community Clinics Initiative of Cook Children's Medical Center, Ft. Worth, Texas	600,000
Community Health Center of Franklin County, Turners Falls, Massachusetts	225,000
Community Health Centers in Iowa	501,000
Community Health Centers of Pinellas, Inc., St. Petersburg, Florida	500,000
Community Health Connections Family Health Center, Fitchburg, Massachusetts	300,000
Community Medical Center Healthcare System, Scranton, Pennsylvania	800,000
Coulee Community Hospital, Grand Coulee, Washington	700,000
County Commission of Raleigh County, West Virginia	4,000,000
County of San Mateo, California	650,000
Coushetta Tribe of Louisiana, Jefferson Davis Parish, Louisiana, for a tribal wellness center	1,000,000
Creighton University Health Sciences Complex, Omaha, Nebraska	500,000
Crouse Health Foundation, Inc., Syracuse, New York	475,000
Cumberland Medical Center, Crossville, Tennessee	500,000
Denver Health and Trauma Center to continue its mission and update the hospital for use as the designated bioterrorism response center, Denver, Colorado	1,500,000
Department of Pediatrics, Milton S. Hershey Medical Center, Hershey, Pennsylvania	250,000
Department of Public Health, Redding, California, for a new Public Health Laboratory	500,000
Detroit Medical Center, Hutzel Hospital, Detroit, Michigan	800,000
Detroit Medical Center, Rehabilitation Institute of Michigan	450,000
Dixie County Health Department, Cross City, Florida	130,000
Dominican University of California, San Rafael, California	200,000
Driscoll Children's Hospital, for its Driscoll Pediatric Clinic in McAllen, Texas	2,000,000
Dunlap Memorial Hospital, Wayne County, Ohio, for equipment	750,000
DuPage County Mental Health Center, Wheaton, Illinois	500,000
East Jefferson General Hospital, Metairie, Louisiana	300,000
East Tennessee State University James H. Quillen College of Medicine, Johnson City, Tennessee	200,000
Eastern Virginia Medical School, Norfolk, Virginia	500,000
Edward Hospital, Naperville, Illinois	100,000
Eisenhower Medical Center, Rancho Mirage, California	500,000
Eisner Pediatric and Family Medical Center to expand its facilities to provide urgently needed care to low-income children and families.	150,000
Englewood Hospital and Medical Center, Englewood, New Jersey	200,000
Erlanger Health System, Chattanooga, Tennessee, for purchase of mobile carts with wireless laptop, wall-mounted computers, wireless antennas network attached servers and wireless hardware and software infrastructure	825,000
Euclid Hospital Emergency Department, Euclid, Ohio	500,000
Eunice Kennedy Shriver Center at UMass Medical School, Waltham, Massachusetts	150,000
Evans Memorial Hospital, Claxton, Georgia	50,000
Fairfield Medical Center Children's Daycare Facility, Lancaster, Ohio	350,000
Family Christian Health Center, Harvey, Illinois	225,000
Family Health Center of Boone County, Missouri	100,000
Family Health Centers of San Diego, San Diego, California	300,000
First Choice Community Clinic, Albuquerque, New Mexico	2,300,000
FirstHealth of the Carolinas, Inc., Pinehurst, North Carolina, subsidization and staff	490,000
Florida Blood Services, Inc., St. Petersburg, Florida, for equipment and construction costs	135,000
Florida Emergency Medicine Foundation, Orange County, Florida	500,000
Fontbonne University Center for Communication Disorders, Deaf Education and Special Education Training for planning and design, Missouri	1,000,000
Fox Chase Cancer Center and The University of Maryland Greenebaum Cancer Center for the American-Russian Cancer Alliance to establish a long term collaborative program for research, clinical activities and education that will reduce the morbidity and mortality	600,000
Freeport Family Health Center, Freeport, Ohio	150,000
Friendship House Association of American Indians, San Francisco, California	250,000
Fulton County Department of Health and Wellness, Atlanta, Georgia	350,000
Georgia State University, Atlanta, Georgia	400,000
Gifford Medical Center, Randolph, Vermont	295,000
Gilda's Club of Northern New Jersey, Hackensack, New Jersey	250,000
Glens Falls Hospital, Glens Falls, New York	950,000
Glide Memorial Foundation, San Francisco, California	250,000
Good Shepherd, Lehigh County, PA	500,000
Grandview Hospital and Medical Center, Dayton, Ohio	500,000
Greater Rockingham Area Services, Bellows Falls, Vermont	40,000
Griffin Home, Friends of Youth, Renton, Washington	200,000
Grinnell Regional Medical Center Indigent Care Clinic	100,000
Grossmont College, El Cajon, California	200,000
Grover G. Dils Medical Center, Caliente, Nevada	500,000
Guthrie Corning Hospital, Corning, New York	500,000
H. Lee Moffit Cancer Center, Tower Project, Florida	600,000
Hackensack University Medical Center, Hackensack, New Jersey	150,000
Hamilton Community Health Network, Flint, Michigan	200,000
HARBOR Branch Oceanographic Institution, Fort Pierce, Florida, for equipment	500,000
Harlem Hospital Center, New York City	400,000
Hartland Regional Community Foundation, St. Joseph, Missouri, for emPower Plant program	200,000
Harts Health Clinic in Lincoln County, West Virginia	500,000
Haysi Medical Clinic, Virginia	300,000
Hazard Appalachian Regional Healthcare (ARH) Regional Medical Center, Hazard, Kentucky	1,000,000
HealthNet, Inc., Indianapolis, Indiana	300,000
Heller School for Social Policy and Management, Brandeis University, Waltham, Massachusetts	900,000
Hi-Desert Medical Center, Joshua Tree, California	700,000
Hillcrest Health Care Center, Tulsa, Oklahoma	1,050,000
Holy Cross Hospital, Fort Lauderdale, Florida	500,000
Holy Name Hospital, Teaneck, New Jersey	200,000
Holyoke Hospital, Holyoke, Massachusetts	400,000
Hopeland Health Center, Dayton, Ohio	600,000
Hospice & Palliative Care of Louisville, Louisville, Kentucky	1,000,000
Hospice of Marshall County, Inc., Albertville, Alabama	1,000,000
Houston County Hospital, Crockett, Texas	550,000
Howard Center for Human Services, Burlington, VT	250,000
Hudson Headwaters Health Network, Glens Falls, New York	300,000
Hudson Valley Hospital Center, Cortland Manor, New York	500,000
Humboldt Senior Resource Center, Eureka, California	200,000

Hunterdon Healthcare System, Flemington, New Jersey, for emergency room equipment	100,000
Huntsman Cancer Institute of University of Utah, Salt Lake City, UT	1,750,000
Idaho State University	400,000
Independence Square Foundation Building Expansion, Kingston, RI	750,000
Indiana Genomics Initiative, Indiana University School of Medicine, Indianapolis	1,000,000
Indiana University Cancer Center, Indianapolis, Indiana, to develop the Indiana University Center for Bone Cancer Research	1,000,000
Institute for Research and Rehabilitation, Houston, Texas	500,000
J. Joseph Moakley Medical Services Building, Boston Medical Center, Boston, Massachusetts	2,800,000
J.P. Carr Human Services Complex, Rockdale County, Georgia	500,000
Jackson Park Hospital Foundation, Chicago, Illinois	450,000
Jersey City Medical Center, Jersey City, New Jersey	600,000
Jersey Shore Hospital, Jersey Shore, Pennsylvania, for medical equipment	100,000
Joseph P. Addabbo Family Health Center, New York, New York	500,000
Kansas City Area Life Sciences Institute, Kansas City, Missouri	2,450,000
Kansas University Imaging Facilities for cellular and molecular imaging	1,000,000
Katy Hospital, Katy, Texas, for acquisition of radiology and imaging equipment	1,700,000
Kauai Community Health Center	50,000
Kaukini Hospital (Hawaii) research facility	50,000
Kennedy Krieger Institute, Baltimore, Maryland	750,000
Kent County Hospital, Warwick, Rhode Island	300,000
Kentucky Communities Economic Opportunity Council, Inc., Appalachian Regional Wellness Center, Barbourville, Kentucky	800,000
Kings County Hospital Center, Brooklyn, New York	350,000
Klamath County Integrated Health Services Building, Klamath County, Oregon	100,000
Lakeshore Foundation, Birmingham, Alabama	250,000
Lawrence General Hospital, Lawrence, Massachusetts	500,000
Lewistown Hospital, Lewistown, Pennsylvania, for medical equipment	100,000
Lexington-Fayette County Health Department for purchase of a Mammogram Machine and Professor and to purchase Laboratory Information System Equipment	100,000
Life Line Pregnancy Care Center, Leesburg, Virginia, for a sonogram machine to help single-mother pregnancies	50,000
LifeBridge Health, Baltimore, Maryland	500,000
Lighthouse Health Access Alliance, Hyannis, Massachusetts	500,000
Los Angeles City College, Los Angeles, California	240,000
Loudoun Healthcare, Inc., Leesburg, Virginia	400,000
Louisiana State University Health Sciences Center, Shreveport, Louisiana, for renovation of Emergency Care Center	166,000
Louisiana State University Health Sciences Center, Shreveport, Louisiana, for Trauma Care Systems to process crucial information about a patient's injury	166,000
Louisiana State University Stanley Scott Cancer Center	100,000
Lutheran Services of South Dakota for the Canyon Hills Center in Spearfish, SD	200,000
Malone College School of Nursing, Canton, Ohio	1,000,000
Marcum Wallace Memorial Hospital, Irvine, Kentucky	1,000,000
Marcus Institute, Atlanta, Georgia	650,000
Margaretville Memorial Hospital, Margaretville, New York	200,000
Maricopa Integrated Health System, Arizona	350,000
Marklund Children's Home, West Chicago, Illinois	1,000,000
Marshall University Mid-Ohio Valley Center, Point Pleasant, West Virginia	250,000
Marshall University in West Virginia	11,000,000
Mary McClellan Hospital, Inc., Cambridge, New York	575,000
Matthew Walker Comprehensive Health Center, Nashville, Tennessee	450,000
Maui Community Health Center	100,000
Medical College of Wisconsin, Milwaukee, Wisconsin	700,000
Medical University of South Carolina Oncology Center in Charleston, SC	3,500,000
Memorial City Hospital, Houston, Texas	700,000
Memorial Health University Medical Center, Savannah, Georgia	700,000
Mental Health Association of Tarrant County, Ft. Worth, Texas, to provide school-based mental health education to schools in Tarrant County	225,000
Mercy Health Partners, Toledo, Ohio	650,000
Mercy Health Partners-Hamilton, Cincinnati, Ohio	750,000
Mercy Medical Center at Durango, Colorado	1,000,000
Mercy Medical Center, Des Moines, Iowa	1,700,000
Metropolitan Education and Training Center, Wellston, Missouri	500,000
Miami Children's Hospital Ambulatory Care Center, Miami, Florida	267,000
Miami-Dade County, Florida, for the M.O.V.E.R.S. program	400,000
Middletown Regional Hospital Center, Middletown, Ohio	750,000
Midwest Center for Rural Health, Terre Haute, Indiana	700,000
Million Pines Family Health Center, Soperton, Georgia	38,000
Milwaukee Center for Independence, Milwaukee, Wisconsin	400,000
Miriam Hospital, Providence, Rhode Island	700,000
Mission St. Joseph's Health System, Asheville, North Carolina, for Helicopter Ambulance program	2,800,000
Mobile Medical Unit, Pinellas County Health Department, Clearwater, Florida	200,000
Model Cities Health Corporation, Kansas City, Missouri	250,000
Moneta Gardens Improvement, Inc., Hawthorne, California	300,000
Morehouse School of Medicine, Atlanta, Georgia	300,000
Morton Health Center (CHC), Oklahoma	100,000
Moses Taylor Hospital, Scranton, Pennsylvania	350,000
Mount Sinai Maternal-Child Care Center, Mount Sinai Hospital, New York, New York	500,000
Mountainview Medical Center, Montana	400,000
MultiDimensional Imaging, Inc., Newport Beach, California	1,250,000
Muskegon Community Health Project, Muskegon, Michigan	400,000
National Jewish Medical and Research Center, Denver, Colorado	1,000,000
National Nursing Centers Consortium, Philadelphia, PA	100,000
Navidad Medical Center, Salinas, California	175,000
Neumann College, Aston, PA	50,000
Neumann Health and Wellness Center, PA	100,000
Nevada Cancer Institute in Las Vegas, Nevada, for preliminary work to establish a comprehensive cancer treatment center in southern Nevada	900,000
New Britain General Hospital, New Britain, Connecticut, for pyxis equipment	500,000
New Horizon Youth Center, Bethesda, Ohio,	125,000
New York City Health and Hospitals Corporation, Elmhurst Hospital Center	250,000
New York University Dental Clinics for the Underserved	250,000
New York University Medical Center for construction of a vaccine lab	1,500,000

New York-Presbyterian Hospital for the Allen Pavilion 900,000
Newton Regional Hospital, Newton, Mississippi 410,000
North Sunflower County Hospital, Ruleville, Mississippi 150,000
Northeast Indiana Innovation Center Biomedical Research Center, Fort Wayne, Indiana 500,000
Northern Cochise Community Hospital, Willcox, Arizona 500,000
Northwest Alabama Mental Health Center, Jasper, Alabama 250,000
Northwest Human Services, West Salem Clinic, Salem, Oregon 450,000
Northwestern Medical Center, St. Albans, Vermont 65,000
Northwestern Memorial Hospital, Chicago, Illinois 1,125,000
Northwestern University's Center for Genomics and Molecular Medicine, Evanston, Illinois 600,000
NYU Downtown Hospital, New York, New York 500,000
Oakhurst Medical Centers, Stone Mountain, Georgia 500,000
Oakwood Healthcare System, Dearborn, Michigan 450,000
Ohio State University, Columbus, Ohio, Biomedical Research and Education Center 1,000,000
Oklahoma Medical Research Foundation to modernize existing lab space, particularly labs for the arthritis and immunology program that houses much of the current research into Native American genetics 975,000
Operation Par, Inc., Pinellas Park, Florida, for an Operation PAR Developmental Center and Therapeutic Community 4,000,000
Orthopaedic Hospital of Los Angeles 1,300,000
Our Lady of the Lake Regional Medical Center, Baton Rouge, Louisiana 200,000
Palliative Care Center and Hospice of the North Shore, Evanston, Illinois 300,000
Paradise Valley Hospital, National City, California 100,000
Peach County Hospital Authority, Fort Valley, Georgia 50,000
Penn State Milton S. Hershey Medical Center, Hershey, PA 1,630,000
Philipsburg Hospital, Philipsburg, Pennsylvania, for medical equipment 100,000
Pinnacle Health, Harrisburg, PA 250,000
Pioneer Valley Life Sciences Initiative joint venture between the University of Massachusetts and Baystate Medical Center 1,200,000
Placer County Children's Emergency Shelter, Auburn, California 900,000
Polk County Central 911 Dispatch Center, Bolivar, Missouri, for computer aided dispatch software and global positioning satellite 150,000
Prentiss Regional Hospital, Prentiss, Mississippi 150,000
Preventive Medicine Research Institute, Sausalito, California 150,000
Proctor Hospital, Peoria, Illinois 800,000
Puget Sound Blood Center, Seattle, Washington 400,000
Quinnipiac University, Hamden, Connecticut 750,000
Rainbow Babies Center for Child Health, Cleveland, Ohio 1,025,000
Rhode Island Hospital, Hasbro Children's Hospital, Providence, Rhode Island 1,000,000
Rhode Island Hospital, Providence, RI 500,000
Rochelle Healthcare Clinic, Rochelle, Georgia 50,000
Rock Island (IL) facility of Community Health Care, Inc., Davenport, Iowa 450,000
Rockford Health System (RHS), Rockford, Illinois 200,000
Rocking Horse Center, Springfield, Ohio 350,000
Rural Health Collaborative of Southern Ohio, Georgetown, Ohio—Multi-Specialty Health care Treatment Center ... 1,000,000
Rush-Copley Medical Center, Aurora, Illinois 1,000,000
Rush-Presbyterian Medical Center, Chicago, Illinois 525,000
Rutgers University Genetics Building 800,000
Sacred Heart Hospital, Allentown, PA 750,000
Sagninaw Chippewa Tribe of Michigan for the Victims of Crime program ... 1,100,000
Saint Anne's Hospital, Fall River, Massachusetts 775,000
Salt Lake Donated Dental Services, Salt Lake City, Utah 100,000
Samuel U. Rodgers Community Health Center, Kansas City, Missouri, for its Lexington, Missouri, facility 1,100,000
Sandhills Medical Foundation, Jefferson, South Carolina, for its McBee facility 600,000
Schenectady Family Health Services, Schenectady, New York 500,000
Shamokin Area Community Hospital, Coal Township, PA 250,000
Shands Jacksonville Hospital, Jacksonville, Florida 1,000,000
Siouxland District Health 800,000
Soldiers and Sailors Memorial Hospital, Wellsboro, Pennsylvania, for medical equipment 100,000
South County Hospital, Wakefield, Rhode Island 600,000
South Shore Hospital in Weymouth MA 200,000
Southeast Hospital, Houston, Texas 2,500,000
Southeast Missouri State University, Cape Girardeau, Missouri 100,000
Southern Connecticut State University, New Haven, Connecticut 800,000
Southern Illinois University School of Medicine, Springfield, Illinois 500,000
Springfield Regional Outpatient Cancer Center 325,000
St. Anthony Hospital, Oklahoma City, Oklahoma 200,000
St. Alphonsus Regional Medical Center, Boise, Idaho, St. Benedict's Hospital, Jerome, Idaho 405,000
St. Catherine College Allied Health and Science Complex, Kentucky 500,000
St. Claire Medical Center, Inc., Morehead, Kentucky 150,000
St. John Bosco Clinic, Miami, Florida 233,000
St. Joseph Community Center, Lorain, Ohio 250,000
St. Joseph's Hospital and Medical Center, Paterson, New Jersey 200,000
St. Louis Childrens Hospital in Missouri for equipment and technology for the Healthy Kids Express Mobile Health Van Program 100,000
St. Luke's Hospital, Allentown, PA 750,000
St. Luke's Regional Medical Center 500,000
St. Mary's Hospital in Huntington, West Virginia 2,000,000
St. Mary's Hospital, Waterbury, Connecticut 750,000
St. Mary's Regional Medical Center, St. Marys, Pennsylvania, for medical equipment 100,000
St. Petersburg College, Florida, for consortium dental clinic equipment 500,000
St. Vincent Home for Children, Lansing, Michigan 500,000
State University of New York at Binghamton Protein Dynamics Research Facility 200,000
State University of New York Upstate Medical University & College of Environmental Science and Forestry, for equipment and program costs 725,000
State University of New York Upstate Medical University, for equipment costs of the Institute for Cardiovascular Research and Biotechnology Core Facilities Enhancement Package 325,000
Steele Memorial Hospital Foundation 50,000
Stevens Foundation for Developmental and Erichment Services, Inc., Sanford, North Carolina 400,000
Summa Health System, Akron, Ohio, ... 500,000
Syracuse Community Health Center, Syracuse, New York 475,000
Tattnall Community Hospital, Reidsville, Georgia 62,000
Taylor Telfair Regional Hospital, McRae, Georgia 50,000

Temple University Hospital and Health System, Philadelphia, Pennsylvania	200,000
Tennessee Technological University, Cookeville, TN	1,100,000
Texas for the Border Health Medical Complex, City of El Paso	750,000
Texas Tech University Health Sciences Center, Lubbock, Texas, for Wellness Center	900,000
Texas Tech University's Center for Biological and Geographical Information Systems, Lubbock, Texas, for the purchase of medical-related research equipment	225,000
The New York Academy of Medicine, New York	100,000
Thomas Jefferson University, Philadelphia, PA, to purchase a 3.0 Tesla full body MRI system	1,130,000
Tom Ridge Public Health and Safety Building at Mercyhurst College, Erie, Pennsylvania	400,000
Touro University College of Osteopathic Medicine, Vallejo, California	550,000
Travelers Aid of Rhode Island, Providence, Rhode Island	750,000
Tri-County Community Dental Clinic in Appleton, Wisconsin	330,000
Trousdale Medical Center, Hartsville, Tennessee	400,000
Truman Medical Center, Missouri	1,000,000
Tyler Memorial Hospital, Tunkhannock, Pennsylvania, for equipment	450,000
UMDNJ—Robert Wood Johnson Medical School, Child Health Institute of New Jersey, New Brunswick, New Jersey	250,000
University Medical Center in Las Vegas, Nevada, for the Neonatal ICU and Women's Service Area	300,000
University Medical Center, Tucson, Arizona	800,000
University of Alabama, Birmingham, Interdisciplinary Biomedical Research Institute	10,000,000
University of Arizona Institute for Biomedical Science and Biotechnology, Tucson, Arizona	700,000
University of Arizona, Tucson, Arizona, for Bioscience and Biomedicine Institute International Genomics Consortium	1,500,000
University of California, San Diego, to purchase and install new angiography equipment in a new interventional radiology unit	100,000
University of Cincinnati Medical Center, Cincinnati, Ohio	1,000,000
University of Illinois College of Medicine, Rockford, Illinois	1,500,000
University of Louisiana at Monroe College of Health Sciences	500,000
University of Louisville Research Foundation, Kentucky, to the Center for Oral Health and Systemic Disease	700,000
University of Louisville's Cardiac Innovation Institute for equipment	1,200,000
University of Louisville's Science and Technology Research Center, Kentucky	1,700,000
University of Maryland School of Pharmacy, Baltimore	350,000
University of Mississippi in Jackson, Mississippi	4,000,000
University of Mississippi in Oxford	950,000
University of Mississippi Medical Center, Jackson, Mississippi	3,000,000
University of Nebraska Medical Center	2,000,000
University of Nebraska Medical Center, Omaha, Nebraska, to enhance distance-learning facilities that train nurses in rural areas	500,000
University of New Mexico Health Sciences Center Education building	2,000,000
University of North Texas Health Science Center, Fort Worth, Texas, for CAT Scan machine	800,000
University of Pennsylvania, Philadelphia, PA	1,630,000
University of Pittsburgh Medical Center, Pittsburgh, Pennsylvania	1,630,000
University of Pittsburgh School of Medicine, PA, for Mobilization for Autism initiative	250,000
University of Pittsburgh, McGowan Institute for Regenerative Medicine, Pittsburgh, PA	1,780,000
University of San Diego, Hahn School of Nursing, San Diego, California	200,000
University of South Alabama Gulf Coast Cancer Center and Research Institute	3,500,000
University of South Dakota School of Medicine in Vermillion, SD	500,000
University of South Florida Center for Biological Defense, Tampa, Florida	5,000,000
University of South Florida Health Sciences Center and College of Medicine, Tampa, Florida	3,000,000
University of Tennessee Graduate School of Computational Engineering, Chattanooga, Tennessee, for SimCenter project to perform simulations to study ocean/atmospheric issues associated with global climate	500,000
University of Tennessee Medical Center, Knoxville, TN	1,000,000
University of Texas Health Center at Tyler, Texas	200,000
University of Texas M.D. Anderson Cancer Center, Houston, Texas	2,000,000
University of Texas Southwestern Medical Center and UT Dallas, for sickle cell disease	400,000
University of Texas Southwestern Medical School, for FMRI	450,000
University of Texas Southwestern Medical School, for the stroke center	1,250,000
University of Washington Life Sciences Research facility, Seattle, WA	3,500,000
University of Wisconsin-Milwaukee Institute for Urban Health Partnerships	250,000
Vanderbilt Children's Hospital, Nashville, TN	1,000,000
Veterans New Jersey Health Care Systems, Morris Township	250,000
Visiting Nurse Association of Fox Valley, Aurora, Illinois	550,000
Visiting Nurses Association Care Watch Program, Cleveland, Ohio, to purchase equipment	405,000
W.A. Foote Memorial Hospital, Jackson, Michigan	500,000
Wake Forest Comprehensive Cancer Center, Winston-Salem, North Carolina	500,000
Walden House, San Francisco, California	400,000
Wendell Foster's Campus for Developmental Disabilities, Owensboro, Kentucky	500,000
West Virginia School of Osteopathic Medicine for the Robert C. Byrd Clinic	2,750,000
West Virginia University School of Medicine	3,000,000
Western Michigan University, Kalamazoo, Michigan, to establish distance learning facilities at WMU's Center for Occupational Therapy, Physician Assistants Program, Nursing and Speech Pathology and Audiology	500,000
Wexner Heritage Village, Columbus, Ohio,	200,000
White River Medical Center, Batesville, Arkansas	500,000
Whitman-Walker Clinic, Inc., Washington, DC	350,000
Wills Eye Hospital, Philadelphia, PA	1,100,000
Windber Research Institute, Johnstown, Pennsylvania	250,000
Wyoming Valley Health Care System, Wilkes-Barre, Pennsylvania	300,000
Yeshiva University, Albert Einstein School of Medicine, New York, New York	1,200,000
YMCA of Western Stark County, Massillon, Ohio, for Emergency Health Facility	2,000,000
Zucker Hillside Hospital of North Shore Long Island Jewish Health System, Queens, New York	450,000
Albert Einstein Healthcare Network, Philadelphia, Pennsylvania	1,630,000
Allegheny General Hospital, Pittsburgh, PA, for purchase of equipment to expand the Genomic Sciences at the Allegheny Singer Research Institute	1,630,000
Carnegie Mellon University, Pittsburgh, PA	1,630,000

Children's Hospital of Philadelphia, Philadelphia, PA, for equipment	500,000
Children's Hospital of Pittsburgh, Pittsburgh, PA	500,000
Crozer-Keystone Health System, Springfield, PA	100,000
Ephrata Community Hospital, Ephrata, PA, for equipment	200,000
Fox Chase Cancer Center, for construction of a Laser Accelerated Proton Facility & a cyberknife radiosurgery system	1,630,000
Lehigh Valley Hospital & Health Network, PA	750,000
Magee-Womens Hospital and Research Institute, Pittsburgh, PA	1,630,000
Main Line Health—Jefferson Health System, PA	500,000
Nazareth Hospital, Philadelphia, PA	250,000
Philadelphia College of Osteopathic Medicine, Philadelphia, PA	200,000

The conference agreement includes bill language to limit the amount available for Federal tort claims within community health centers funding to not more than $40,000,000 instead of $25,000,000 proposed by H.R. 246 and $50,000,000 as proposed by the Senate.

The conference agreement includes bill language identifying $275,138,000 for family planning instead of $265,275,000 as proposed by H.R. 246 and $285,000,000 as proposed by the Senate.

The conference agreement includes $1,514,651,000 for community health centers instead of $1,533,570,000 as proposed by the Senate and $1,457,864,000 as proposed by H.R. 246. The conferees concur with language contained in the Senate explanatory statement that not less than $9,000,000 be provided for Native Hawaiian health care activities.

The conferees have provided an increase above the request for community health centers in order to continue the initiative to add health center sites and expand services while also allowing increased grant support to existing centers for economic stabilization and to offset the rising cost of current services. While many health centers may be very efficient providers of services, they are not immune from the cost increases faced by all health care providers. Further, health centers are facing additional cost pressures as a result of the rising number of people without health insurance. For these reasons, the conferees expect HRSA to use a portion of the increased funding to increase basic support for existing health centers based on performance-related criteria, in addition to site and service expansion applications.

The conferees direct HRSA to provide a report to the House and Senate Committees on Appropriations no later than September 30, 2003 regarding the methodology used in distributing fiscal year 2003 health center appropriations and the methodology intended to be used in fiscal year 2004, including the actual and intended division of funds among new or expanded sites, service expansions, and adjustments to help cover the increased cost of ongoing services, as well as the formula or other methodology used in allocating the portion intended to help cover increased costs.

The conference agreement includes $46,249,000 for the national health service corps field placements instead of $46,000,000 as proposed by H.R. 246 and $46,498,000 as proposed by the Senate. The conferees support the Student Resident Experiences and Rotations in Community Health (SEARCH) program within the national health service corps and intend that HRSA continue this program in fiscal year 2003.

The conference agreement includes $125,959,000 for national health service corps recruitment instead of $109,000,000 as proposed by H.R. 246 and $142,918,000 as proposed by the Senate. The conferees intend that $3,000,000 of this amount be designated for the chiropractic program authorized under section 338L of the Public Health Service Act.

The conference agreement includes $423,961,000 for health professions instead of $392,582,000 as proposed by H.R. 246 and $424,066,000 as proposed by the Senate.

The conferees intend that the graduate psychology education program be continued within the funds provided for allied health and other disciplines, and that a geropsychology graduate training program be established within allied health.

The conferees provide $28,000,000 for geriatrics education. Within the total provided, $16,800,000 is directed to geriatric education centers, $6,500,000 is designated for geriatric training programs, and $4,700,000 is directed to geriatric academic career awards.

The conferees agree with the Senate explanatory statement directing HRSA to fund training components of chiropractic demonstration grants.

Within the funding for health professions training, the conference agreement provides $113,502,000 for nurse training programs instead of $98,502,000 proposed by H.R. 246 and $118,502,000 proposed by the Senate. The conferees have appropriated funding to establish programs authorized under the Nurse Reinvestment Act (P.L. 107–205), renamed existing line items to reflect these new authorities, and added new line items to fund these programs. The conferees have relabeled ''Basic Nurse Education and Practice'' the ''Nurse Education, Practice, and Retention Grants'' and relabeled the ''Loan Repayment Program'' the ''Loan Repayment and Scholarship Program'' to reflect the additional authorities provided under Sections 831 and 846, respectively, of the Public Health Service Act as modified by P.L. 107–205. In using the increase in funding provided above the fiscal year 2002 level, the conferees expect HRSA to give preference in funding to internship and residency programs (Sec. 831(a)(2)), career ladder programs (Sec. 831(c)(1)), and enhancing patient care delivery systems (Sec. 831(c)(2)) as required under Sec. 831(e) of the PHSA. The conferees have provided funding for scholarships (Sec. 846 (d)) for nursing students in exchange for service as a nurse for at least two years at a health care facility with a critical shortage of nurses. The conferees have also appropriated funding to establish the Nurse Faculty Loan Program and Comprehensive Geriatric Education, Sections 846A and 855 of the PHSA. The Nurse Faculty Loan Program will help increase the number of faculty at schools of nursing. Comprehensive Geriatric Education will train and educate individuals in providing geriatric care for the elderly. The conferees intend that nurse loan repayment funding should be directed to high priority urban and rural areas with severe nursing shortages.

The conference agreement does not include funding within HRSA for the Healthy Communities initiative. H.R. 246 proposed $10,000,000 for the program and the Senate proposed $20,000,000. Additional funds have been provided to the Centers for Disease Control and Prevention for this purpose.

The conference agreement includes $734,741,000 for the maternal and child health block grant instead of $726,931,000 as proposed by H.R. 246 and $741,531,000 as proposed by the Senate.

The conference agreement includes bill language designating $115,900,000 of the funds provided for the block grant for special projects of regional and national significance (SPRANS). Neither H.R. 246 nor the Senate bill earmarked funds for this purpose. It is intended that $4,000,000 of the SPRANS amount will be used to continue the sickle cell newborn screening program and its locally based outreach and counseling efforts. In addition, $5,000,000 of the SPRANS amount will be used for oral health demonstration programs and activities in the States as described in the Senate explanatory statement, $500,000 will be used for the city of Milwaukee Health Department for a pilot program providing health services to at-risk children in day care, and $10,000 will be used for the Dane County Neighborhood Child Health Clinic in Madison, Wisconsin to provide child dental services.

The conference agreement includes bill language identifying $55,000,000 for abstinence education instead of $60,000,000 as proposed by H.R. 246 and $40,000,000 as proposed by the Senate.

The conferees note that abstinence messages to a group of youth by a grantee should not be diluted by any instructor or materials from the same grantee. Adolescents should not be discouraged from seeking health information or services. HHS should not preclude entities who are teaching abstinence-only classes and who have a public health mandate from discussing other forms of sexual conduct or providing services, as long as this is conducted in a different setting from the abstinence-only course. In allocating grant funds, HRSA should give priority to those organizations that have a strong record of support of abstinence education as defined in sections (a) through (h) of Title 5, section 510(b)(2) of the Social Security Act.

The conference agreement includes $98,989,000 for healthy start as proposed by the Senate instead of $94,811,000 as proposed by H.R. 246.

The conferees recognize the life-saving success of the National Marrow Donor Program. In light of the new nuclear and chemical threats facing the country, the conferees encourage the National Marrow Donor Program to increase its public health preparedness efforts by developing and maintaining a national emergency response plan to ensure an adequate supply of needed marrow and blood stem cells. The conferees also support the National Marrow Donor Program's efforts to expand the sources of blood stem cells through its work on a cord blood bank initiative. The conferees encourage the NMDP to focus on the following areas: (1) recruitment of donors, with an emphasis on minority donors; (2) enhancement of cord blood banks through increased recruitment efforts, research, and other cord blood bank support; and (3) expansion of the NMDP's role in research related to improving outcomes of patients who receive bone marrow transplants.

The conference agreement includes $58,500,000 for rural health outreach grants instead of $38,385,000 as proposed by H.R. 246 and $51,472,000 as proposed by the Senate. The conference agreement includes the following amounts for the following projects and activities in fiscal year 2003:

Aberdeen Area Tribal Chairman's Health Board in Aberdeen, SD, to support the Northern Plains Healthy Start Project	$750,000
Alaska Department of Health and Social Services Program to Reduce High Anemia rate in children in the Yukon Kuskokwin Delta and the Bristol Bay region	400,000

Alaska Family Practice Residency Program to support additional medical residents in Alaska to provide services for underserved populations 500,000
Bannock County Regional Medical Center, Pocatello, Idaho, to purchase Mammography Unit and provide mobile mammography screening to the rural areas of Southeast Idaho. 400,000
Center for Acadiana Genetics and Hereditary Health Care for continue and expand the development of the center 550,000
College of Saint Mary for education, recruitment and retention of nurses in rural communities 250,000
Commun-I-Care in Columbia, SC to support a program that distributes prescription drugs to low income, uninsured South Carolinians 300,000
Community Health Works in Forsyth Georgia, to expand services and information technology systems 50,000
Cooperative Education Service Agency No. 11 in Turtle Lake, Wisconsin for a dental program 750,000
Delta Health Alliance in Mississippi for a multi-university partnership to address delta health problems 1,200,000
Eastern Maine Healthcare, Rural Maine Health Improvement Demonstration Program to address the inconsistencies in the current rural health care delivery system 250,000
Eastern Oregon University Rural Frontier Delivery Healthcare Education Program for innovative nurse training 250,000
Ellen Stephen Hospice in Kyle, South Dakota to provide healthcare services to people in rural areas of South Dakota 100,000
Full Circle Women's Health in Madison, Florida, for a project to improve pregnancy care 95,000
Georgia Southern University, Statesboro, Georgia, for rural healthcare delivery services and nurse training/education and distance learning for students and healthcare professionals 300,000
Good Samaritan Regional Medical Center, Pottsville, PA, to establish the Schuylkill County Rural Health Consortium 250,000
Grace Medical Clinic in Mayfield, Kentucky for wellness programs 100,000
Harrison Community Hospital, Cadiz, Ohio, for ongoing delivery of healthcare to rural economically distressed woman, children and men 125,000
Idaho Children's Health Initiative 500,000
Marquette University to provide dental care to underserved communities through mobile dental clinics 350,000
Marshall University for the West Virginia Children's Health Project 500,000
Menominee Indian Tribe of Wisconsin, Keshena, Wisconsin to provide critical prenatal care to pregnant women 80,000
Mercy Housing, Inc. in Denver, Colorado to provide health care in coordination with affordable housing for low income families, seniors, and individuals with disabilities 300,000
Millinocket Regional Hospital in Millinocket, Maine, for a project to provide health care for the uninsured and underinsured population of eastern Maine 900,000
New Mexico-Hawaii telehealth project in remote and rural areas—Telehealth Outreach for Unified Community Health (TOUCH). 1,000,000
Ohio University in Athens, Ohio, for its Appalachian Rural Health Institute ... 500,000
Oregon Center for Nursing for innovative nurse training 235,000
Our Lady of Bellefonte Hospital Foundation in Ashland, Kentucky for its community wellness mobile clinic 350,000
Phoenix Children's Health Project in Arizona to address the health needs of extremely vulnerable homeless and runaway youth in underserved rural and urban areas 350,000
Pittsburgh Mercy Health System, Pittsburgh, PA., for health outreach and education 200,000
Porcupine Clinic in Porcupine, SD to provide healthcare services to people in rural areas of South Dakota 250,000
Progressive Family Services Health Center in Canton, Mississippi 100,000
Sioux City Community Health Center, Iowa, to establish a mobile health clinic 300,000
Smith Township Volunteer Fire Department, Jacobsburg, Ohio, for all purpose emergency response vehicle and rescue trailer for use in providing emergency medical services in inaccessible rural areas 15,000
St. Luke's Free Clinic in Kentucky to improve health care access for underserved populations 200,000
The Children's Health Fund, New York, New York, to improve access to health care for many of Pennsylvania's underserved children 165,000
University of Alabama at Birmingham Oral Health Initiative 300,000
University of Alabama Capstone Nursing School to improve the quality of primary care in rural Alabama 150,000
University of Alaska Fairbanks Development of Research and Evaluation agenda for health care delivery 850,000
University of Alaska-Anchorage to recruit and retain Alaska Natives as nurses 500,000
University of North Carolina at Wilmington School of Nursing, for its Bolton, North Carolina, primary health care facility 400,000
University of North Dakota School of Medicine to support its rural health program in preventative medicine and behavioral sciences. 1,100,000
University of Pennsylvania School of Dental Medicine, Philadelphia, PA., for its minority outreach oral health initiative 200,000
University of Southern Mississippi Center for Sustainable Health Outreach 500,000
University of Washington, School of Medicine, Seattle, Washington, for WWAMI Demonstration/Assistance Rural Training project 500,000
Wagner-Lake Andes Ambulance District in Wagner, SD, to provide emergency health services to people in rural areas of South Dakota 100,000
Waimanalo Community Health Center American Samoan outreach 200,000
Washington Health Foundation, Seattle, Washington, for a Rural Hospital Quality Network project 100,000
Weber State University in Utah to prepare nurses for providing care in rural settings 500,000
West Virginia University Center for Rural Emergency Medicine for the Injury Control Training and Demonstration Center 1,200,000
Western Kentucky University's Mobile Health Screening Program 400,000
U.S. and Developing Country Medical Centers Program for the linking of U.S. academic medical centers with developing country medical centers to facilitate mutual capacity building through the exchange of clinicians between the two institutions so that care providers in the developing world can learn, first hand, from those in the U.S. who are most experienced in AIDS care 200,000

The conferees continue to be concerned about the health care needs of those in the Mississippi River Delta region. The conferees provide $6,800,000 for rural health outreach to continue the ongoing initiative in eight States. These grants provide funding and technical assistance to help underserved rural communities identify and better address their health care needs and to help small rural hospitals improve their financial and operational performance. The conferees further recommend that HRSA consult with the Delta Regional Authority and the Delta Health Alliance, given their ongoing relationships with communities in the Delta.

The conference agreement provides $10,700,000 for rural health research instead of $16,808,000 as proposed by the Senate and $9,190,000 as proposed by H.R. 246.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Mercer University Health Sciences Center in Macon, Georgia for a rural health care task force	$50,000
University of North Dakota School of Medicine and Health Sciences in Grand Forks, North Dakota for its rural health program in preventative medicine and behavioral sciences	350,000
University of Pittsburgh Bradford Center for Rural Health, Bradford, Pennsylvania	300,000

The conference agreement includes $27,062,000 for telehealth instead of $4,000,000 as proposed by H.R. 246 and $39,192,000 as proposed by the Senate.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Advanced Technology Institute, North Charleston, South Carolina, Telehealth Deployment Center	$416,000
Alaska Federal Health Care Access Network Telemedicine Project	100,000
Banner Health System Telemedicine Program for equipment and infrastructure for telemedicine program to help provide care to rural and underserved areas in Arizona, Colorado, and Alaska	250,000
Baycare Health Systems, Clearwater, Florida, for a Medical Information Systems Initiative	1,000,000
Beaufort-Jasper-Hampton Comprehensive Health Services for a telehealth program to investigate techniques to prevent prostate cancer	700,000
Burlington Community Health Care in Burlington, Vermont for new technology infrastructure to reduce medical errors	500,000
CareOregon, Oregon Community Health Information Network, for the implementation of Electronic Medical Record software for safety net and community clinics	75,000
Case Western Reserve University, Cleveland, Ohio, for a Netwellness program	750,000
Children's Hospital and Regional Medical Center, Seattle, for implementation of the Children's Health Access Regional Telemedicine Network	500,000
Cook Children's Medical Center in Fort Worth, Texas for a rural specialty health telemedicine initiative	500,000
Foundation for eHealth Initiative, Washington, DC, for demonstration on electronic medical data interchange and sharing to support improve regional healthcare delivery	4,000,000
Geisinger Health System, Harrisburg, PA, for the Rural PA Stroke Care Partnership	1,630,000
Idaho State University for expansion of the telehealth integrated care center	1,500,000
Iowa Telecare Consortium to develop a disease management demonstration project in Iowa	600,000
James Whitcomb Riley Hospital for Children Telemedicine Program, Indianapolis, Indiana	500,000
La Crosse Medical Health Science Consortium in Racine, Wisconsin to establish virtual health centers in eight counties	350,000
Lake Charles Memorial Hospital, Lake Charles, Louisiana, Community Hospital Telehealth Consortium	450,000
Massachusetts College of Pharmacy and Health Sciences for telehealth programs at its Worcester campus Health and Education Resource Center	450,000
Midwest Rural Telemedicine Consortium, Mason City, Iowa	700,000
Minot State University in West Minot, North Dakota for a project using telehealth technologies for hearing assessment and hearing loss rehabilitation	150,000
Montefiore Medical Center, Bronx, New York, and the Children's Hospital at Montefiore's Clinical Information System to complete a Clinical Information System	200,000
New York-Presbyterian Hospital in New York City for its Community Hospital of the 21st Century medical informatics technology demonstration project	500,000
North Dakota State University College of Pharmacy in Fargo, North Dakota to field test telepharmacy technology in several rural pharmacy locations	600,000
North Idaho Rural Telehealth Program	650,000
Northwest Area Center for Studies on Aging in Billings, Montana	750,000
Oklahoma State Department of Health, Oklahoma City, Oklahoma, for a Mississippi-Oklahoma Rural Telemedicine Initiative	500,000
Pennsylvania Homecare Association in conjunction with the Pennsylvania State University for telehomecare, PA	250,000
Primary Care Association of Hawaii Telehealth and Outreach	400,000
South Alabama Telemedicine Project to create enhanced connectivity between rural emergency departments and the University of South Alabama Medical Center	300,000
St. Elizabeth Hospital Community Foundation in Appleton, Wisconsin for telemedicine equipment to provide medical care to underserved patients in northeastern Wisconsin	100,000
St. Vincent Healthcare in Billings, Montana to expand the regional video telecommunications network for healthcare providers	700,000
Susquehanna Health System, Williamsport, PA for Electronic Medical Information and Physician Access	500,000
University at Buffalo and State University of New York, Buffalo, Erie County, New York, for Buffalo Center of Excellence in Bioinformatics	1,000,000
University of Colorado Health Sciences Center, Denver, Colorado, for American Telehealth Center to expand curricular content, in terms of healthcare workforce-related topics, personnel and equipment	666,000
University of South Alabama Office of Emerging Technologies in Mobile, Alabama for home based telehealth disease management tools and telemedicine applications	200,000
University of Texas Medical Branch in Galveston, Texas for its telehealth resource center	500,000
Visiting Nurse Association of Houston in Houston, Texas for study of clinical outcomes and health care costs among congestive heart failure patients who are monitored through home telemonitoring	125,000

The conference agreement provides $8,500,000 for State offices of rural health instead of $10,000,000 as proposed by the Senate and $4,000,000 as proposed by H.R. 246.

The conference agreement includes $27,500,000 for the Denali Commission instead of $30,000,000 as proposed by the Senate. H.R.

246 contained no similar provision. The conferees reinforce language in the Senate explanatory statement indicating that the Denali Commission should allocate funds to a mix of service facilities.

The conference agreement includes $19,500,000 for emergency medical services for children instead of $18,000,000 as proposed by H.R. 246 and $20,000,000 as proposed by the Senate.

The conference agreement includes $22,500,000 for poison control instead of $20,000,000 as proposed by H.R. 246 and $24,000,000 as proposed by the Senate.

The conference agreement includes $9,500,000 for traumatic brain injury instead of $10,000,000 as proposed by H.R. 246 and $9,000,000 as proposed by the Senate.

The conference agreement includes $3,499,000 for trauma care instead of $5,000,000 as proposed by the Senate. H.R. 246 contained no similar provision.

The conference agreement includes a total of $2,031,005,000 for Ryan White programs, of which $25,000,000 is provided through the evaluation set-aside, instead of $1,930,204,000 as proposed by H.R. 246 and $2,051,295,000 as proposed by the Senate. Included in this amount is $622,741,000 for emergency assistance, $1,060,285,000 for comprehensive care, $199,672,000 for early intervention, $74,032,000 for women, infants, children, and youth, $13,493,000 for dental services, and $35,782,000 for education and training centers.

The conference agreement includes bill language identifying $719,000,000 for the Ryan White Title II State AIDS drug assistance programs instead of $659,000,000 as proposed by H.R. 246 and $739,000,000 as proposed by the Senate. The conference agreement also includes bill language making available $25,000,000 under section 241 of the Public Health Service Act to carry out Ryan White Special Projects of National Significance as proposed by the Senate. H.R. 246 had no similar provision.

The conferees intend that at least 90 percent of total title IV funding be provided to grantees. With the exception of funds provided through the Minority HIV/AIDS Initiative, the conferees expect the funding increase to be used primarily to support maintenance of existing care services because of the rising costs of providing comprehensive care and the implementation of quality management programs. The conferees intend that HRSA use a significant portion of the remaining funds to expand comprehensive services for youth. The conferees are pleased by current efforts to facilitate ongoing communication with and among grantees about the administration of title IV programs and expect the agency to expand these efforts. The conferees request the agency to work with grantees to develop effective title IV-specific site visit methodologies.

Some 5 percent of the funds appropriated under this section may be used to provide peer-based technical assistance. Within this amount, sufficient funds are available to maintain and expand work being done to create a national consumer and provider education center on the use of various strategies in the care of children, youth, women and families infected with or affected by HIV and AIDS.

Within the total provided, $131,200,000 is for Ryan White AIDS activities that are targeted to address the growing HIV/AIDS epidemic and its disproportionate impact upon communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders. The conferees expect HRSA to follow the fiscal year 2002 House report regarding the disbursement of these funds.

Consistent with this overall direction, these funds are allocated as follows:

Emergency assistance—Within the total provided, $43,800,000 is for competitive, supplemental grants to improve the HIV-related health outcomes for communities of color and reduce existing health disparities.

Comprehensive care programs—Within the total provided, $7,000,000 is for State HIV care grants to support educational and outreach services to increase the number of eligible minorities who access HIV/AIDS treatment through AIDS Drug Assistance Programs (ADAP).

Early intervention program—Within the total provided, $53,400,000 is for planning grants and Early Intervention Service (EIS) grants to health care providers with history of serving communities of color.

Pediatric demonstrations—Within the total provided, $18,500,000 is to sustain and expand efforts to deliver comprehensive, culturally competent and linguistically appropriate research-based intervention and HIV care services to minority women, infants, and children.

Education and training centers—Within the total provided, $8,500,000 is to increase the training capacity of centers to expand the number of community-based minority health care professionals with treatment expertise and knowledge about the most appropriate standards of HIV/AIDS-related treatments and medical care for HIV infected adults, adolescents and children.

The conference agreement provides $292,000,000 for children's hospitals graduate medical education as proposed by H.R. 246 instead of $285,000,000 as proposed by the Senate.

The conference agreement includes $120,000,000 for the community access program as proposed by H.R. 246 instead of $120,027,000 as proposed by the Senate. Within the total provided, $105,000,000 is for grants to develop and expand integrated systems of care and address service gaps within such integrated systems. The conferees intend to permit these funds to be available both for new Healthy Communities Access Program grants under the new section 340 of the Public Health Service Act, as well as renewal (to the extent appropriate based on programmatic considerations) of grants initially made during fiscal years 2000 through 2002 under section 301 demonstration authority and guidance contained in previous appropriations conference reports. Within the total provided, the remaining $15,000,000 is to continue the initiative to assist States to identify the characteristics of the uninsured within the State and develop approaches for providing all uninsured persons with health coverage. The conferees intend these funds to be available to provide additional grants to States that have previously received planning grants in order to assist such States in continuing their data gathering, analysis and planning processes, as well as to provide initial grants to additional States as appropriate.

The conference agreement includes $156,562,000 for program management instead of $149,294,000 as proposed by H.R. 246 and $143,354,000 as proposed by the Senate. The conferees expect HRSA to use no more than one percent of the funds allocated for projects for agency administrative expenses.

The conferees are concerned that planned efforts to restructure HRSA programs and grants management functions could have a negative effect on many HRSA grantees. The centralization of grant decision-making, coupled with the changing roles of staff in HRSA's field offices, could significantly diminish the institutional knowledge and expertise in community-based health care that is crucial to leading HRSA forward during this important period. Further, contemplated changes in the role of a project officer to reduce technical assistance functions in favor of increased focus on grantee performance reviews may serve to undermine the development and functioning of HRSA funded programs and is of great concern to the conferees. The conferees recommend that these changes not be undertaken until they can work with all stakeholders, including Congress, to show that they will not reduce the level and scope of assistance provided to grantees.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Catholic Social Services The Bridge, Wilkes Barre, PA, for abstinence education and related services	$46,000
CentraCare Health Foundation for administration, St. Cloud, Minnesota, to increase the ability of educational institutions to produce nurses in a region with high demand	500,000
Chester County Health Department, Chester County Government Services Center, West Chester, for abstinence education and related services	41,000
City of Chester, Bureau of Health, SABER Project, Chester, PA, for abstinence education and related services	105,000
George Washington Carver Community Center, Project A.C.E., Norristown, PA, for abstinence education and related services	86,000
Heart Beat, New Bloomfield, PA, for abstinence education and related services	51,000
Keystone Central School District, Central Mountain Middle School East, Lock Haven, PA, for abstinence education and related services	79,000
Keystone Economic Development Corporation, Johnstown, PA, for abstinence education and related services	88,000
L.V.C.P.T.P., St Luke's Health Network, CHOICE program, Bethlehem, PA, for abstinence education and related services	92,000
Lackawanna Trail School District, Factoryville, PA, for abstinence education and related services	74,000
LaSalle University, Philadelphia PA, for abstinence education and related services	112,000
Mercy Hospital of Pittsburgh, Pittsburgh, PA, for abstinence education and related services	111,000
Neighborhood United Against Drugs, Philadelphia, PA, for abstinence education and related services	136,000
New Brighton School District, New Brighton, PA, for abstinence education and related services	23,000

Northeastern Ohio Universities College of Medicine, Rootstown, Ohio, for the Center for Leadership in Public Health and Community Medicine	1,250,000
Nueva Esperanza, Philadelphia, PA, for abstinence education and related services	72,000
Partners in Family and Community Development, Athens, PA, for abstinence education and related services	72,000
Potter County Human Services, Roulette, PA, for abstinence education and related services	50,000
Rape and Victim Assistance Center of Schuykill County, Pottsville, PA, for abstinence education and related services	71,000
Real Commitment, Gettysburg, PA, for abstinence education and related services	82,000
School District of Lancaster, Project IMPACT, Lancaster, PA, for abstinence education and related services	101,000
School District of Philadelphia, Philadelphia, PA, for abstinence education and related services	102,000
Silver Ring Thing Program, Sewickley, Pennsylvannia, for expansion of a program promoting abstinence	700,000
The Guidance Center, project RAPPORT, Smethport, PA, for abstinence education and related services	74,000
To Our Children's Future With Health, Inc., Philadelphia, PA, for abstinence education and related services	109,000
Tressler Lutheran Services, Harrisburg, PA, for abstinence education and related services	136,000
Tuscarora Intermediate Unit, Mcveytown, PA, for abstinence education and related services	84,000
University of Akron, Ohio, for a nursing study	500,000
University of Florida, Gainesville, Florida, for Consortium to Promote Nursing Faculty	1,000,000
University of Louisville Research Foundation, Kentucky, to establish a Center for Cancer Nursing Education and Research	300,000
Urban Family Council, Philadelphia, PA, for abstinence education and related services	126,000
Venago County Area Vo-Tech, Oil City, PA, for abstinence education and related services	41,000
Washington Hospital Teen Outreach, Academy for Adolescent Health, Washington, PA, for abstinence education and related services	136,000
William Beaumont Hospital, Royal Oak, Michigan, for the Beaumont Nurse Anesthesia Education Rural Initiative	300,000
Women's Care Center of Erie County, Inc., Abstinence Advantage Program, Erie, PA, for abstinence education and related services	136,000
York County, Human Life Services, Inc. York, PA, for abstinence education and related services	50,000
Community Ministries of the Lutheran Home at Topton, Reading, PA, for abstinence education and related services	95,000
Clarke College in Dubuque, IA, for the planning of a community health center	50,000
Clinical Pharmacy Training Program at University of Hawaii at Hilo	700,000
Family Voices of Iowa in the ASK Resource Center, Des Moines, IA, to continue and expand the Family to Family Health Information Center	100,000
Iowa Dept of Public Health to continue the Center for Healthcare Workforce Shortages	1,000,000
National Healthy Start Association, Baltimore, Maryland, to gather and disseminate information on best practices under the Healthy Start program and provide technical assistance to Healthy Start grantees	350,000
Tulsa Coalition for Children's Health in Tulsa, Oklahoma for a study regarding delivery of pediatric health care in northeastern Oklahoma	125,000
Waianae Coast Community Health Center leadership training	50,000

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $4,506,965,000 for disease control, research, and training at the Centers for Disease Control and Prevention (CDC), of which $4,296,566,000 is provided as budget authority and $210,399,000 is made available under Section 241 of the Public Health Service Act, instead of $4,402,249,000 as provided by the Senate. H.R. 246 included $4,335,839,000 for the CDC.

The conference agreement includes bill language to earmark $268,000,000 for equipment, construction, and renovation of facilities instead of $270,000,000 as proposed by the Senate. H.R. 246 included $200,000,000. Within this total, $250,000,000 is for continuation of CDC's building program for its Atlanta facilities and $18,000,000 is to begin construction and purchase equipment for the replacement of CDC's infectious disease laboratory in Fort Collins, Colorado. The conferees continue to support the rapid implementation of CDC's Buildings and Facilities Master Plan and are pleased with the progress made to date.

The conferees expect the CDC to utilize a portion of the funds provided for buildings and facilities to continue and expand security improvements to ensure critical information reliability for response to critical events, as well as to conduct increasingly varied public health missions.

The conference agreement includes bill language to allow the Centers for Disease Control and Prevention (CDC) to enter into a single contract or related contracts for the full scope of development and construction of facilities as proposed by the Senate. H.R. 246 contained no similar provision. The conference agreement also includes bill language proposed by the Senate to allow funds appropriated to the CDC to be used to enter into a long-term ground lease for construction on non-Federal land, in order to replace their laboratory in the Fort Collins, Colorado area. H.R. 246 included no similar language.

The conference agreement includes bill language to earmark $183,763,000 for international HIV/AIDS, the same as proposed by the Senate and H.R. 246. The conference agreement deletes bill language proposed by the Senate earmarking $40,000,000 of the amount provided for international HIV/AIDS for the International Mother and Child HIV Prevention Initiative. The conferees are agreed, however, that $40,000,000 of the amount provided for international HIV/AIDS is for this important initiative.

The conference agreement includes language in the bill designating that the following amounts shall be available under section 241 (Public Health Service Act evaluation set-aside) for the specified activities:

$125,899,000—National Center for Health Statistics Surveys
$14,000,000—National Immunization Surveys
$28,600,000—Information Systems Standards Development and Architecture and Applications-based Research Used at Local Public Health Levels
$41,900,000—Research Tools and Approaches within the National Occupational Research Agenda

H.R. 246 had proposed that $46,982,000 be derived from section 241 for National Center for Health Statistics surveys.

The conference agreement modifies the placement of bill language proposed by the Senate exempting from any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services both civilians and Commissioned Officers detailed to States, municipalities or other organizations under authority of Section 214 of the Public Health Service Act for purposes related to homeland security during their period of detail or assignment. The agreement places the bill language within the Public Health and Social Services Emergency Fund account.

The conference agreement includes a modification to the proviso carried in prior appropriations acts prohibiting the use of funds available to the CDC to advocate or promote gun control, as proposed in H.R. 246. The Senate bill included a similar proviso. The conferees acknowledge that the purpose of this proviso is to prohibit Federal funds from being used to lobby for or against the passage of specific Federal, State or local legislation intended to advocate or promote gun control. The conferees understand that the CDC's responsibility in this area is primarily data collection and the dissemination of information and expect research in this area to be objective and grants to be awarded through an impartial, scientific peer review process. The conferees instruct the CDC to provide a detailed report, within 90 days of enactment, on the steps the CDC has taken to ensure this restriction is being followed.

The conference agreement includes a modification to a proviso, proposed by the Senate, to raise the funding limit for grants made

under section 1509 of the Public Health Service Act (WISEWOMAN screening demonstrations). The agreement increases the limitation to $12,500,000, instead of $15,000,000 as proposed by the Senate. H.R. 246 maintained the limit at $10,000,000. The conferees are agreed that the increase in the limitation is intended to permit, but not mandate, an increase in the awards under this authority to $12,500,000 in fiscal year 2003.

Birth Defects

The conference agreement includes $98,681,000 for birth defects, developmental disabilities, disability and health instead of $97,691,000 as proposed by the Senate. H.R. 246 included $94,655,000 for these activities.

Within the total, the following amounts are provided for the specified activities above the fiscal year 2003 request:

$2,000,000—to expand State autism surveillance activities;

$2,000,000—to expand surveillance and epidemiological efforts of Duchenne and Becker muscular dystrophy;

$500,000—to activities related to Fetal Alcohol Syndrome;

$842,000—to expand the newborn infant screening program; and

$2,000,000—to support the establishment of a National Spina Bifida program.

In addition, $3,800,000 is provided to continue and expand support for the Special Olympics Healthy Athletes Initiative begun last year.

The conferees encourage the CDC to continue its partnership with the Amputee Coalition of America (ACA) and its support of the Limb Loss Research and Statistics Program. The Committee is also supportive of the partnership that the ACA and CDC have forged with the uniformed services in an effort to ensure that members of our armed forces receive the highest quality of care in the event of an amputation.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

The conference agreement includes $795,140,000 for chronic disease prevention and health promotion instead of $745,600,000 as proposed by the Senate. H.R. 246 proposed $773,928,000. Programs within this account are funded at the following levels:

Heart Disease and Stroke ..	$ 43,244,000
Cancer Prevention and Control	$290,645,000
Diabetes	$ 63,756,000
Arthritis and Other Chronic Diseases	$ 22,649,000
Tobacco	$100,584,000
Nutrition/Physical Activity	$ 34,372,000
Community Health Promotion	$ 37,269,000
School Health	$ 58,213,000
Safe Motherhood/Infant Health	$ 54,315,000
Oral Health	$ 11,787,000
Prevention Centers	$ 27,006,000
National Campaign to Change Children's Health Behaviors.	$ 51,300,000

Within the amounts provided for Cancer Prevention and Control, no less than $200,383,000 is for the Breast and Cervical Cancer Screening Program and $1,000,000 is for the establishment of a national lupus patient registry. The conferees urge the CDC to work closely with the Lupus Foundation of America in the establishment of the registry.

Within the amounts available for Arthritis and Other Chronic Diseases, the agreement provides an increase over the request of $850,000 for the expansion of State-based arthritis programs and collaborations with the relevant voluntary health organizations. In addition, an increase of $1,000,000 over the request is provided to enhance epilepsy efforts, in partnership with a national non-profit organization that works on behalf of children and adults affected by seizures.

Within amounts provided for Community Health Promotion, $6,903,000 is provided to support and expand the Behavioral Risk Factor Surveillance Systems, $2,800,000 for continuing and expanding a model project that is testing and evaluating the efficacy of glaucoma screening using mobile units, $1,900,000 is for a vision screening and education program as outlined in the Senate explanatory statement, and $1,800,000 is for the Mind-Body Medical Institute in Boston, Massachusetts to continue and expand practice-based assessments, identification, and study of promising and heavily-used mind/body practices.

The conferees encourage CDC to expand its public and professional awareness activities with respect to pulmonary hypertension and to report to the Committees on Appropriations within six months on the progress made in advancing this important initiative.

The conferees understand that the Iron Disorders Institute provides important educational material to the public and the medical community and encourages the CDC to establish a partnership with the Institute.

Environmental Health

The conference agreement includes $184,025,000 for environmental health instead of $189,489,000 as proposed by the Senate. H.R. 246 included $174,917,000 for environmental health activities.

Within the total provided: $37,763,000 is for the environmental health laboratory; $38,863,000 is for environmental health activities (including $2,200,000 to continue the physician education and public awareness program for primary immune deficiency disease as implemented by the Jeffrey Modell Foundation); $37,127,000 is for asthma; $42,272,000 is for childhood lead poisoning; and $28,000,000 is for the health-tracking network.

The conferees recognize the extraordinary services of CDC's Environmental Health Laboratory, and have provided funds to expand the assessment of exposure of the U.S. population to environmental chemicals, to expand assistance to States, and provide more effective laboratory response to toxic emergencies.

The conferees are concerned about the health status of the residents of rural communities. The conferees understand that the CDC currently is developing a rural health plan to address the variety of rural public health issues related to environmental exposures. The conferees urge the CDC to continue to work closely with the State of Iowa Public Health Department in developing this plan.

Epidemic Services

The conference agreement includes $78,001,000 for epidemic services and response as proposed by the Senate. H.R. 246 included the same amount for epidemic services.

HIV/AIDS, STD and TB Prevention

The conference agreement includes $1,194,150,000 for HIV/AIDS, STD and TB prevention instead of $1,183,532,000 as proposed by the Senate. H.R. 246 included $1,175,000,000 for these activities.

Included in this amount is $887,961,000 for HIV/AIDS activities, of which $183,763,000 is for global HIV/AIDS activities; $169,675,000 for STD activities; and $136,514,000 for TB activities. Within the funds provided for global HIV/AIDS, $40,000,000 is for the International Mother and Child HIV Prevention Initiative.

Within the total for HIV/AIDS, $104,000,000 is provided to continue CDC's support of activities that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders at not less than the fiscal year 2002 level. The conferees expect CDC to follow the report accompanying the Labor, HHS and Education and Related Agencies Appropriations Act, 2002 regarding the disbursement of these funds, including continuing support for the Directly Funded Minority Community Based Organization Program.

Immunization

The conference agreement includes a discretionary program level total of $654,751,000 for immunization, instead of $652,895,000 as proposed by the Senate. H.R. 246 included $634,601,000 for immunization activities. Within the total, $14,000,000 is for national immunization surveys to be derived from section 241 evaluation set-aside funds. In addition, the Vaccines for Children (VFC) program funded through the Medicaid program is expected to provide $1,056,000,000 in vaccine purchases and distribution support in fiscal year 2003, for a total immunization program level of $1,699,751,000.

Included in the amount provided is $505,963,000 for the section 317 program, and $148,788,000 for global immunization activities. Within the total available for global immunization, $106,400,000 is for global polio eradication activities, and $42,388,000 for the global measles program.

It has been brought to the conferees' attention that infrastructure costs of delivering vaccines to children in Alaska are substantially higher than in other areas of the country because of the many small, remote communities that must be served primarily by air. The conferees encourage CDC to increase section 317 grant support for infrastructure development and purchase of vaccines for the State of Alaska's universal immunization program.

Infectious Diseases

The conference agreement includes $345,471,000 for infectious diseases instead of $334,471,000 as proposed by the Senate. H.R. 246 included $353,961,000 for infectious diseases.

Within the total provided, $1,000,000 above the budget request is for a prevention program to control and reduce the incidence of hepatitis C. This funding is to continue to develop State-based programs and demonstrations to learn the most feasible approach to integrating hepatitis C and B screening, counseling, and referral programs into existing HIV and STD State programs.

Within the total provided, $8,000,000 above the request is to augment CDC's resources for supporting States in developing and implementing effective surveillance, prevention, and control of West Nile virus and support research on the biology of the disease.

Within the total provided, $2,000,000 above the request is to expand and improve surveillance, research, and prevention activities on prion disease. The conferees intend that a significant portion of the increase be used to expand support for the National Prion Disease Pathology Surveillance Center to establish a national autopsy network for prion disease surveillance.

The conferees are pleased that the CDC is restoring funds for Chronic Fatigue Syndrome research and that these funds are being used in substantive areas. The conferees encourage CDC to continue the establishment of a national registry.

Injury Control

The conference agreement includes $149,385,000 for injury control, as proposed by

the Senate. H.R. 246 provided $148,464,000 for injury control.

Within the total provided, $3,000,000 is provided to extend implementation of the National Violent Death Reporting System. In addition, sufficient funds are included to continue support for all existing Injury Control Research Centers. The conferees also intend that $1,000,000 of the funds provided above the request augment funding for the Traumatic Brain Injury prevention program.

Occupational Safety and Health

The conference agreement provides a program level of $274,899,000 for occupational safety and health, the same as proposed by the Senate. H.R. 246 included $275,161,000 for occupational safety and health. Included within the available funds is $41,900,000 to carry out research tools and approaches activities within the National Occupational Research Agenda (NORA) to be derived from section 241 evaluation set-aside funds.

Within the total provided, $2,000,000 above the request is for the Education and Research Centers to expand research activities in support of implementation of NORA.

The conferees have provided sufficient funds for NIOSH to continue the farm health and safety initiative and to initiate an objective, science-based study on the exposure of industrial solvents on workers and whether those solvents have a long-term significant adverse neurological impact on the health of those workers.

The conferees support NIOSH's efforts in domestic terrorism preparedness, including work to protect emergency responders from biological and chemical terrorism exposures, as well as industrial accidents. The conferees urge NIOSH to fast-track its work to recognize the military affiliated laboratory expertise and certification and to certify military equipment for appropriate civilian use, particularly where any needed modifications are simple.

The conferees support continuation of the joint interagency initiative which involves the National Institute of Occupational Safety and Health, the Federal Aviation Administration, and the National Transportation Safety Board. The conferees encourage NIOSH to continue to implement the Board's recommendations to improve aviation safety in Alaska.

Public Health Improvement

The conference agreement includes a total program level of $153,848,000 for public health improvement instead of $115,672,000 as proposed by the Senate. H.R. 246 included $114,581,000 for public health improvement. Included within the available funds is $28,600,000 to carry out information systems standards development and architecture and applications-based research used at local public health levels to be derived from section 241 evaluation set-aside funds.

Funds requested within public health improvement for development and implementation of a nationwide environmental health-tracking network have been provided for within the CDC's environmental health activities program.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Adelphi University in Garden City, New York for its Breast Cancer Hotline	$100,000
Alaska Department of Health and Social Services Obesity Prevention and Control program	400,000
Alivio Medical Center in Chicago, Illinois for its diabetes programs	150,000
Ambulatory Electronic Medical Record System (AEMRS) in Edina, Minnesota to improve overall medical error reduction	100,000
American Association of Physicians of Indian Origin for a study of cardiovascular disease and diabetes among persons of Asian Indian descent with emphasis on risk factors and effective interventions	500,000
American Trauma Society, Upper Marlboro, Md., for a program to provide medical professionals with the skills and strategies to guide families of the trauma victim through the stages of care	100,000
American Vitiligo Research Foundation, for education and awareness programs for outreach	100,000
Asthma and Allergy Foundation of Alaska and the Alaska Lung Association to prevent lung diseases stemming from tobacco	500,000
Auditory-Verbal Mentoring Program, Birmingham, Alabama for auditory-verbal therapy	400,000
Bexar County Community Health Collaborative in San Antonio, Texas for its ''Fit City/Fit Schools'' program	150,000
Cal State Bakersfield Foundation, Bakersfield, California, for a Valley Fever vaccination project	750,000
Center for International Rehabilitation to implement and create Disability Rights Monitor	400,000
Children's Medical Center of Dallas, Texas for the Center for Infectious Diseases, Advanced Diagnostics, and Emerging Pathogens	500,000
Children's Medical Research Institute, Oklahoma City, Oklahoma, for a Type 2 diabetes research program	450,000
Citizens Against Toxic Exposure Health Clinic, Pensacola, Florida, to locate and assist individuals with health problems related to environmental toxins	300,000
City of Long Beach, California, for surveillance, laboratory, epidemiology and other services at its health department	355,000
Clear Corps, Pittsburgh, PA., to provide lead poisoning prevention services to families in the Pittsburgh area	75,000
Community Health Centers in Hawaii for a childhood rural asthma project	150,000
Community Services Planning Council, Sacramento, California, Shots for Tots KIDS immunization registry	283,000
Cooper Green Hospital Women's Cancer Screening and Prevention program, Birmingham, Alabama, to screen and detect cervical cancers among low income women	250,000
Delaware Health and Social Services, Division of Public Health, for the Delaware Electronic Reporting (DEERS)	500,000
Division of Health Sciences, East Tennessee State University, Johnson City, Tennessee, for the Appalachian Cancer demonstration project	200,000
Economic Opportunity Commission of San Luis Obispo County in San Luis Obispo, California for its senior health screening program	50,000
Elliot Health System, Manchester, New Hampshire	400,000
Epilepsy Foundation in Landover, Maryland for its ''No Seizures, No Side Effects'' campaign	350,000
Greater Cleveland SAFE KIDS Coalition's Reducing Child Pedestrian Injuries in Urban Areas Program to decrease the high rates of pedestrian injury for children	30,000
Greenburgh Central School District No. 7 in Greenburgh, New York for developing and implementing an action plan to improve physical fitness and nutrition and reduce obesity among middle school and high school students	303,000
Health and Human Services Department, City of Houston, Texas for its Online Infectious Disease/Bioterrorism Immediate Identification, Assessment and Alert demonstration project	375,000
Healthy Body Healthy Soul Jesse Trice Cancer Center Prevention Project to provide funding for cancer prevention, education and early detection initiatives	300,000
Hunter Health Clinic, Wichita, Kansas, for supplies	250,000
Huntsman Cancer Institute in Utah to develop a Genealogical Database in support of genetic disease research	500,000
Inova Regional Trauma Center, Falls Church, Virginia, for a community-based injury prevention center	300,000
Iowa Games to continue the Lighten Up Iowa program	100,000
Iowa Health Foundation for a pilot program on chronic disease management	500,000

Iowa State University, Center for Food Safety and Public Health, Ames, Iowa, for a public health research and education project 1,000,000

Jackson State University Institute of Epidemiology and Health Services Research to address urban and rural health problems in Mississippi .. 1,200,000

Jefferson Parish (Louisiana) Mosquito Control Board, Harvey, Louisiana, to combat infestation and spread of the West Nile virus 200,000

Kansas University Medical School and Family Community Medicine Program, Wichita, Kansas, for Diabetes management program 200,000

Kirkwood Community College in Cedar Rapids, Iowa for the National Mass Fatalities Institute 300,000

La Rabida Children's Hospital in Chicago, Illinois for diabetes programs for children and families 150,000

Lake Charles Memorial Hospital in Lake Charles, Louisiana for its Breast Health Center 550,000

Lawton & Rea Chiles Center for Healthy Mothers and Babies in Tampa, Florida, for training paraprofessionals in the health-care field 1,000,000

Marin County Department of Health and Human Services in San Rafael, California for research, analysis and health system improvements related to the incidence of breast cancer in the county 500,000

Medical Institute for Sexual Health 250,000

Michael E. DeBakey Institute for Comparative Cardiovascular Science and Biomedical Devices at Texas A&M University, College Station, Texas 800,000

Missouri Primary Care Association for chronic disease prevention and oral health outreach and education 150,000

National Bioinformatics Collaboration Center for early stage planning 50,000

Neighborhood Health Plan of Rhode Island in Providence, Rhode Island for a community-based asthma outreach and intervention program 250,000

Northern Arizona University to research and address critical security needs associated with biothreat agents and organisms 450,000

Nurses for Newborns Foundation in St. Louis, Missouri, for services to infants and children at risk for abuse or neglect 300,000

Onondaga County Health Department, Syracuse, New York, for Tuberculosis elimination project 125,000

Osteopathic Health System of Texas, Fort Worth, Texas, for study to determine the efficacy of Hyperbaric Oxygen for treatment of diseases 870,000

Partnership for Food Safety Education, Washington, D.C., to establish a national education clearinghouse 500,000

Rice University in Houston, Texas, for proteomics research 1,000,000

S.A.F.E., Inc., Wilkes-Barre, PA., (in affiliation with Geisinger's Center for Autism), to establish centers of excellence for the treatment of Autism 250,000

San Antonio Metropolitan Health District in San Antonio, Texas to expand a public health assessment of exposure to environmental contaminants at and near the former Kelly Air Force Base 350,000

San Luis Obispo County Public Health Agency in San Luis Obispo, California for diabetes prevention, screening and education 90,000

SIDS Resources, Inc. in Kirkwood, Missouri for an Urban Education Outreach Program and Infant Mortality Risk Reduction Program in rural Missouri 50,000

Sister to Sister—Everyone Has a Heart Foundation to increase women's awareness of heart disease, Washington, D.C. ... 400,000

Sixteenth Street Community Health Center in Milwaukee, Wisconsin for a demonstration program focusing on asthma treatment in the bilingual community 250,000

Southeastern Center for Emerging Biologic Threats 600,000

Southern Methodist University for research regarding pharmaceutical antibiotic resistance 300,000

Southwestern Medical Center, Dallas, Texas, National Multiple Sclerosis Training Center at the University of Texas 500,000

St. Joseph Health Services in North Providence, Rhode Island for the ''Pawtucket Smiles'' children's oral health initiative 350,000

St. Joseph's Mercy Care Services in Atlanta, Georgia for their breast and cervical cancer screening and treatment program 350,000

St. Louis University Consortium Against Biological Agents in St. Louis, Missouri to expand and integrate the University's educational efforts in the basic science of the transmission, prevention and treatment of infectious diseases and the training of pub 1,000,000

St. Tammany Parish Mosquito Control Board, Slidell, Louisiana, for project to prevent and control the spread of West Nile virus 200,000

Sustainable Resources Center in Minneapolis, Minnesota for the Community Lead Education and Reduction Program (CLEARCorps) 125,000

Texas Tech University, Health Sciences Center, Lubbock, Texas, for Diabetes Prevention and Control project 500,000

The National Organization on Fetal Alcohol Syndrome, Washington, D.C., for Fetal Alcohol Syndrome project 1,000,000

Thomas Jefferson University Hospital in Philadelphia, Pennsylvania for a center for bioterrorism and disaster preparedness training 1,650,000

Tried Stone Economic Development Corporation in Detroit, Michigan for preventive health programs at the Imani Social Re-nurturing and Health Center 150,000

University of Alabama at Birmingham, Birmingham, Alabama, for a Rural Diabetes Glaucoma Initiative 400,000

University of Arizona Health Center to develop the use of DNA microarrays to detect contamination of foods and/or dietary supplements 100,000

University of Arizona to study NikkomycinZ (NikZ) as a treatment for Valley Fever 100,000

University of Findlay, Findlay, Ohio, for Terrorism Preparedness Center 1,500,000

University of Florida, Seniors Institute for Transportation and Communications, Gainesville, Florida, for Older Driver Assessment and Rehabilitation project 1,000,000

University of Georgia, College of Pharmacy, Center for Leadership in Education and Applied Research in Mass Destruction Defense (CLEARMADD), Athens, Georgia, to train health professionals to respond to chemical and biological attacks. 450,000

University of Louisville's Center for the Deterrence of Bioterrorism and Biowarfare to educate public health officials to detect and respond to biological attacks, Kentucky	1,200,000
University of Michigan Health System in Ann Arbor, Michigan for its clinical simulation center for education and training of first responders and medical and public health personnel	450,000
University of Missouri School of Journalism and the Sinclair School of Nursing Cancer Communication Research Center for evaluation and devlopment of protocols and programs	200,000
University of Montana Center for Environmental Health Sciences, Missoula, Montana, to support research on the impact of environmental factors in causing or exacerbating human diseases	750,000
University of Northern Iowa Youth Fitness and Obesity Institute to study the effectiveness of movement programs on the health of preschool children	700,000
University of Rhode Island Cancer Prevention Research Center, in Kingston, Rhode Island for cancer related research and tobacco program	100,000
University of South Alabama for the Alabama Birth Defects Monitoring and Prevention Center	500,000
University of South Alabama for the Diabetic Lower Extremity Amputation Prevention Program	500,000
University of Texas M.D. Anderson Cancer Center in Houston, Texas for a comprehensive cancer control program to address the needs of minority and medically underserved populations	500,000
University of Vermont to implement an obesity research and community intervention program to evaluate effective remedies	100,000
Vanderbilt University Department of Pediatrics in Nashville, Tennessee, for the Nurses for Newborns program	250,000
Wausau Health Foundation in Wausau, Wisconsin to develop and test innovative approaches to increase screening for colorectal cancer	200,000
West Virginia University for the Center for Healthy Communities to implement a program to reduce obesity	1,000,000
Western Psychiatric Institute and Clinic, UPMC, Pittsburgh, PA. for weight management and obesity control	250,000
Woodhull Medical and Mental Health Center in Brooklyn, New York for a community-based asthma management program	375,000

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

The conference agreement includes $4,622,394,000 for the National Cancer Institute instead of $4,642,394,000 as proposed by the Senate and $4,299,493,000 as proposed by H.R. 246.

The conferees note with concern the Lung Cancer Progress Review Group's August 2001 report, which concluded that the nation's health care system is poorly organized to deal with lung cancer and that a pervasive sense of ''therapeutic nihilism'' dominates the public and scientific discussion of this disease. The conferees urge NCI to consider implementing the group's recommendations, particularly regarding the creation of multi-institutional, multidisciplinary lung cancer consortia. The conferees request the NCI to submit a report on the group's recommendations by June 30, 2003.

NATIONAL HEART, LUNG AND BLOOD INSTITUTE

The conference agreement includes $2,812,011,000 for the National Heart, Lung and Blood Institute instead of $2,820,011,000 as proposed by the Senate and $2,698,391,000 as proposed by H.R. 246.

The conferees encourage NHLBI, in collaboration with the National Institute of Neurological Disorders and Stroke, to enhance its efforts to develop a diagnostic test for transmissible spongiform encephalopathies (TSE) that would be suitable for screening the blood supply. Currently, there is no suitable method for identifying TSE-infected blood or humans infected with TSEs. Human TSEs, for which there are no known treatments, include Creutzfeld-Jakob disease and new variant Creutzfeldt-Jakob disease.

The conferees are aware of the impact of cystic fibrosis on children and adults and commend the voluntary associations that focus on combating this life-threatening genetic disease. The conferees urge the NIH to work with these organizations and outside researchers in supporting research related to the diagnosis and treatment of patients who are affected by this disease.

The conferees are interested in efforts to find a cure for Lymphangioleiomyomatosis (LAM), a progressive and often fatal lung disease of young women with no effective treatment. Accordingly, the conferees urge the NHLBI to explore opportunities for funding clinical treatment trials through both intramural and extramural means and to use all available mechanisms, as appropriate, including supporting state-of-the-science symposia and facilitating access to human tissues, to stimulate a broad range of clinical and basic LAM research.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

The conference agreement includes $374,067,000 for the National Institute of Dental and Craniofacial Research as proposed by the Senate instead of $360,528,000 as proposed by H.R. 246.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

The conference agreement includes $1,633,347,000 for the National Institute of Diabetes and Digestive and Kidney Diseases instead of $1,637,347,000 as proposed by the Senate and $1,532,394,000 as proposed by H.R. 246.

The conferees are concerned about the alarming growth in kidney disease and end stage renal disease and anticipated shortages of the professionals in nephrology that will be needed to handle these cases. NIDDK is encouraged to consider launching new training initiatives and workshops such as grant writing seminars to foster increased interest in this subspecialty.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

The conference agreement includes $1,466,005,000 for the National Institute of Neurological Disorders and Stroke as proposed by the Senate instead of $1,372,256,000 as proposed by H.R. 246.

The conferees encourage NINDS, in collaboration with NIAID, to expand support for controlled clinical trials to better understand the effect of neutralizing antibodies on current therapies on multiple sclerosis, and to produce better clinical data on effective combination therapies using existing therapies that have been approved for MS and other conditions. The conferees further encourage NINDS to conduct a scientific workshop on the role of neutralizing antibodies in MS therapy and new approaches for treatment of MS with combination therapies of drugs approved for MS and other conditions.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The conference agreement includes $3,730,973,000 for the National Institute of Allergy and Infectious Diseases instead of $3,727,473,000 as proposed by the Senate and $2,674,213,000 as proposed by H.R. 246.

The conference agreement includes bill language permitting the transfer of $100,000,000 to International Assistance Programs, Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis as proposed by the Senate. H.R. 246 included a general provision permitting the Director of NIH to transfer this amount to the Global Fund from funds appropriated to NIH.

The conference agreement includes bill language allocating up to $375,000,000 for extramural facilities construction grants for research on biological and other agents. The Senate had proposed $150,000,000 for these grants. H.R. 246 had no similar provision. The conferees intend to provide NIAID with flexibility to determine the appropriate share of the Institute's funds directed to bioterrorism research versus infrastructure.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The conference agreement includes $1,859,084,000 for the National Institute of General Medical Sciences instead of $1,853,584,000 as proposed by the Senate and $1,742,596,000 as proposed by H.R. 246.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The conference agreement includes $1,213,817,000 for the National Institute of Child Health and Human Development as proposed by the Senate instead of $1,159,405,000 as proposed by H.R. 246.

The conferees recognize that the therapeutic potentials of adult and embryonic stem cells need to be studied in animal models. The conferees remain concerned about the absence of research dedicated to investigating stem cells in the most clinically relevant models. To maintain a position of scientific leadership in embryonic stem cell research, the conferees urge NICHD to support research using approved stem cell lines that investigate adult and embryonic stem cells in vitro and in nonhuman primates.

Congenital limb deficiency, vascular disease, childhood skeletal malignancy and trauma have resulted in over 1,500,000 persons in the U.S. experiencing limb loss.

Technological advancements today offer considerable opportunity for persons with limb loss to effectively resume active, productive lives. Standards of care for persons with limb loss have not been developed, however, nor have clinical outcomes research been conducted to determine appropriate access to advanced technology prosthetic devices and the importance of related physical rehabilitation and therapy to improve performance among persons who utilize prosthetic devices. The conferees encourage the Institute to support a prosthetic outcomes research consensus conference, with an emphasis on consumer input, to develop a research protocol to comprehensively address these concerns.

NATIONAL EYE INSTITUTE

The conference agreement includes $637,290,000 for the National Eye Institute instead of $634,290,000 as proposed by the Senate and $600,796,000 as proposed by H.R. 246.

Ocular albinism (OA) is a hereditary, blinding disease that causes terribly distorted vision in children. Victims, who are usually boys and receive the defective gene from their mothers, experience nystagmus, photophobia, lack of stereoscopic vision, strabismus, and other symptoms which deny these children normal vision. In recent years, great strides have been made in the search for improved diagnostic tools and treatments. Recently, the OA1 gene, responsible for most cases of the disease, was identified, and a diagnostic screening test created to help women determine if they are at risk of passing the disease on to their children. As researchers move closer to understanding how this disease works, and developing potential treatments that could improve the vision of children with the condition, the conferees direct NEI to be prepared to report on advances in research on ocular albinism.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement includes $618,258,000 for the National Institute of Environmental Health Sciences instead of $617,258,000 as proposed by the Senate and $589,701,000 as proposed by H.R. 246.

The conferees commend NIEHS for its recent efforts to bolster research initiatives on the environmental influences of breast cancer. The conferees recognize the serious lack of research on the relationship between the environment and breast cancer, and believe that it is important for the Institute to support such research. The conferees urge the Institute to establish a group of breast cancer and environmental research advisers to make recommendations to the Director with regard to the support of the breast cancer and environmental research, and to include in the group representatives from the breast cancer community who have had breast cancer. The conferees request an update at the fiscal year 2004 hearings on the progress in establishing an advisory group. The conferees encourage NIEHS to consider establishing centers to conduct multi-disciplinary and multi-institution research on environmental factors that may be related to breast cancer.

NATIONAL INSTITUTE ON AGING

The conference agreement includes $1,000,099,000 for the National Institute on Aging as proposed by the Senate instead of $939,608,000 as proposed by H.R. 246.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

The conference agreement includes $489,324,000 for the National Institute of Arthritis and Musculoskeletal and Skin Diseases as proposed by the Senate instead of $474,392,000 as proposed by H.R. 246.

Vitiligo is an environmental and genetic auto-immune disease of unknown origin which affects about three to six million Americans. Almost 50 percent develop the disease in childhood, with the median age of onset at four years of age. In its most severe forms, patients have milky white patches covering widespread areas of the body due to the loss of pigment in these areas. Especially for young children, the physical pain caused by severe burns from the harmful effects of sunlight and the emotional pain caused by people confusing vitiligo with an infectious disease diminishes the quality of a patient's life. There are no FDA-approved treatments for children. The conferees urge NIAMS to enhance research efforts through all available mechanisms, as appropriate, to identify the causes of this disease and develop pediatric treatment options for vitiligo.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

The conference agreement includes $372,805,000 for the National Institute on Deafness and Other Communication Disorders as proposed by the Senate instead of $351,376,000 as proposed by H.R. 246.

NATIONAL INSTITUTE OF NURSING RESEARCH

The conference agreement includes $131,438,000 for the National Institute of Nursing Research as proposed by the Senate instead of $130,044,000 as proposed by H.R. 246.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

The conference agreement includes $418,773,000 for the National Institute on Alcohol Abuse and Alcoholism as proposed by the Senate instead of $401,933,000 as proposed by H.R. 246.

NATIONAL INSTITUTE ON DRUG ABUSE

The conference agreement includes $968,013,000 for the National Institute on Drug Abuse as proposed by the Senate instead of $912,489,000 as proposed by H.R. 246.

The conferees commend NIDA for its partnership with the Office of National Drug Control Policy, particularly the ongoing support NIDA provides to the sites established by the Counterdrug Technology Assessment Center (CTAC). The conferees encourage the continuation and expansion of NIDA funding for these research centers where CTAC has likewise committed resources.

NATIONAL INSTITUTE OF MENTAL HEALTH

The conference agreement includes $1,349,788,000 for the National Institute of Mental Health instead of $1,350,788,000 as proposed by the Senate and $1,290,274,000 as proposed by H.R. 246.

The conferees are concerned that the September 11, 2001 terrorist attacks have taken a toll on mental health in America, and urge the Institute to conduct studies on the effects of such events and disasters so that best practices can be developed. Research should focus on survivors, emergency workers and the general public to understand the degree of mental trauma suffered and to understand how post traumatic stress affects these different populations.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

The conference agreement includes $468,037,000 for the National Human Genome Research Institute as proposed by the Senate instead of $431,985,000 as proposed by H.R. 246.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

The conference agreement includes $280,100,000 for the National Institute of Biomedical Imaging and Bioengineering instead of $283,100,000 as proposed by the Senate and $140,973,000 as proposed by H.R. 246.

NATIONAL CENTER FOR RESEARCH RESOURCES

The conference agreement includes $1,146,272,000 for the National Center for Research Resources instead of $1,161,272,000 as proposed by the Senate and $1,015,395,000 as proposed by H.R. 246.

The conference agreement includes bill language to earmark $120,000,000 for extramural facilities construction grants instead of $97,000,000 as proposed by H.R. 246 and $125,000,000 as proposed by the Senate.

Within the total provided for NCRR, $210,000,000 is for the Institutional Development Awards (IDeA) program and $312,000,000 is for the General Clinical Research Centers. Of the IDeA grants funding, $127,000,000 is designated for the Centers of Biomedical Research Excellence program and $83,000,000 is designated for the Biomedical Research Infrastructure Networks program.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

The conference agreement includes $114,149,000 for the National Center for Complementary and Alternative Medicine as proposed by the Senate instead of $105,212,000 as proposed by H.R. 246.

The conference agreement includes sufficient funds to increase support for the chiropractic research center.

NATIONAL CENTER ON MINORITY HEALTH AND HEALTH DISPARITIES

The conference agreement includes $186,929,000 for the National Center on Minority Health and Health Disparities as proposed by the Senate instead of $151,062,000 as proposed by H.R. 246.

JOHN E. FOGARTY INTERNATIONAL CENTER

The conference agreement includes $63,880,000 for the John E. Fogarty International Center instead of $60,880,000 as proposed by the Senate and $57,064,000 as proposed by H.R. 246.

NATIONAL LIBRARY OF MEDICINE

The conference agreement includes $310,299,000 for the National Library of Medicine, of which $8,200,000 is made available through the evaluation set-aside, as proposed by the Senate instead of $277,273,000 as proposed by H.R. 246. Bill language is included, as proposed by the Senate, to make available $8,200,000 from amounts available under section 241 of the Public Health Service Act to carry out the National Information Center on Health Services Research and Health Care Technology. H.R. 246 did not contain a similar provision.

OFFICE OF THE DIRECTOR

(Including transfer of funds)

The conference agreement includes $267,974,000 for the Office of the Director instead of $257,974,000 as proposed by the Senate and $2,476,111,000 as proposed by H.R. 246.

The conference agreement provides $20,000,000 for the Director's Discretionary Fund rather than $10,000,000 as provided by H.R. 246 and the Senate in order that the Director of NIH may allocate resources to the Institutes and Centers to begin ''roadmap'' activities.

The conferees concur with the guidance in the Senate explanatory statement regarding limits for NIH reprogramming requests.

The conference agreement reflects the funding and grant transfers that will be made to the National Institute of Biomedical Imaging and Bioengineering from other institutes and centers.

The conferees concur with the Senate explanatory statement encouraging NIH to increase the research training stipend awards by ten percent.

The conferees are agreed that NIH should continue to allocate funds for biomedical research on the basis of scientific opportunity,

taking into consideration the many other factors identified by NIH as being relevant to funding decisions, such as the infectious nature of a disease, the number of cases and deaths associated with a disease, the cost of disease treatment, and/or other costs associated with a disease. The conferees also expect NIH to consider carefully the language in appropriations explanatory statements and give it appropriate weight when determining funding allocations across disease areas. Regarding the cases in which appropriations explanatory statements reference funding levels for a specific disease, the conferees are agreed that these are intended only to express relative priority and are not funding earmarks.

The conferees do not agree to the budget request to use NIH funding to support Department of Defense free electron laser research and radiation exposure research.

The conferees have previously provided funding for the design of a new facility for the National Library of Medicine and understand that the design phase of this project is nearly complete. The conferees request the Director of NIH to provide a report by June 30, 2003 to the Committees on Appropriations with details of the new facility, timetables and costs, based on a construction plan consistent with recommendations from the NIH Facilities Planning Advisory Committee.

The conferees request that the NIH Interagency Autism Coordinating Committee (IACC) convene a panel of outstanding scientists to assess the field of autism research, and identify the roadblocks that may be hindering progress in understanding its causes and best treatment options. As a next step, the IACC should take the recommendations of these findings and develop a matrix of short-to-long range and low-to-high risk action items to address some of the roadblocks identified by the panel. This matrix would then be used to help guide further autism research planning at NIH, and as a tool for the entire autism community. It should include opportunities for voluntary and private funding organizations, and hopefully will lead to opportunities for collaboration with other government agencies and the autism community as well. The matrix should be a living document that can be revised and expanded as current goals are achieved and new goals are identified. Once the matrix has been developed, the IACC should provide a report to Congress on the state of autism research.

Pick's disease is a rare form of frontotemporal dementia that leads to a degeneration of social skills, language, reasoning abilities, and memory. Although the cause of this disease is unknown, researchers now appreciate the degree to which disorders such as Pick's disease are related to other frontotemporal dementias, and even more common forms of dementia such as Alzheimer's disease. Alterations of the tau protein, which is an important structural component of neurons, have been implicated in all of these disorders, and provide an important common target for further exploration. NIA and NINDS are encouraged to support research on frontotemporal dementias, including Pick's disease, as well as related tauopathies, that may reveal insights into the causes and possible treatments of these conditions.

Rett syndrome is a neurological disorder seen almost exclusively in females; it affects approximately one in ten thousand live births per year. The conferees are pleased to learn of the discovery of the MECP2 gene as the main cause of this disorder and encourage the Institutes to expand their research efforts to learn how this gene affects other genes and tissues during the development of the nervous system. The conferees also encourage research to develop animal models of the disorder and to study the daily problems that afflict children with Rett syndrome, including autonomic disorders, as well as research on interventions for improved literacy and communication. Because Rett syndrome is a multi-faceted disorder, the conferees encourage NICHD, NINDS, NIDCD, and NIGMS to work in collaboration to maximize the outcomes from investments made in Rett syndrome research.

The Department has conducted a comprehensive review of research on products containing the herb ephedra, and the conferees look forward to seeing this work in the near future. The conferees recommend that, following publication of this work and a thorough dialogue between the Department, industry and others, NIH initiate scientific studies necessary to resolve any remaining questions on the safety and benefits of these products.

The conferees request NIH to provide a report by June 30, 2003 summarizing, by grant and amount, actual fiscal year 2002 research funding on temporomandibular diseases and disorders, as well as an estimate of fiscal year 2003 expenditures.

BUILDINGS AND FACILITIES

The conference agreement includes $632,800,000 for buildings and facilities instead of $607,800,000 as proposed by the Senate and $296,100,000 as proposed by H.R. 246.

The conference agreement includes language granting full scope authority for the contracting of construction of the first and second phases of the John E. Porter Neurosciences Building as proposed by the Senate. H.R. 246 did not have a similar provision.

The conference agreement includes $105,000,000 for the NIH research building proposed in the budget request to be constructed on Department of Army land at Ft. Detrick, Maryland.

The conferees were saddened by the recent passing of Florence S. Mahoney, one of the nation's foremost advocates for health research and a pioneer in the development of the NIH. Beginning in the 1940s, Mahoney teamed up with another citizen activist, Mary Lasker, to seek a greater Federal investment in health sciences and biomedical research. They were extraordinarily effective. Mrs. Mahoney's crowning achievement was her almost singlehanded campaign to create the National Institute on Aging. That event, in 1974, opened the way to scientific advances aimed at extending the healthy years of life and maintaining functional independence for millions of older Americans. She embodied that ideal, living independently until her death at age 103. Mahoney was the last of a generation of giants—including Lasker, James Shannon, Senator Lister Hill and Representative John Fogarty—who built the modern NIH. The conferees strongly urge the NIH to honor her memory by designating one of two outdoor courtyards in the Mark O. Hatfield Clinical Research Center, now under construction, as the ''Florence S. Mahoney Plaza (or Courtyard).'' The conferees hope that such a space will include a stone marker, plaque or sculpture that would prominently pay tribute to Mahoney's enormous contributions to the NIH.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

The conference agreement includes $3,232,268,000 for substance abuse and mental health services, of which $3,158,068,000 is provided through budget authority and $74,200,000 is provided through the evaluation set-aside. H.R. 246 had proposed $3,167,897,000 for SAMHSA and the Senate proposed $3,203,917,000, of which $74,200,000 was from the evaluation set-aside.

The conference agreement contains bill language providing $955,000 for protection, maintenance and remediation of Federally-owned facilities at St. Elizabeths Hospital as proposed by the Senate. H.R. 246 had no similar provision.

The conference agreement includes bill language identifying $21,461,000 for projects in the amounts specified in the statement of the managers on the conference report.

CENTER FOR MENTAL HEALTH SERVICES

The conference agreement includes $246,042,000 for programs of regional and national significance instead of $226,067,000 as proposed by H.R. 246 and the Senate.

Within the total provided, the conference agreement provides $95,000,000 for counseling services for school-aged youth as proposed by the Senate. As proposed by the Senate, $3,000,000 is provided to support the National Suicide Prevention Resource Center, and continued support is provided for the Suicide Prevention Hotline program.

Within the total provided, $30,000,000 is provided under section 582 of the Public Health Service Act to support grants to local mental health providers for the purposes of developing knowledge of best practices and providing mental health services to children and youth suffering from post-traumatic stress disorder as a result of having witnessed or experienced a traumatic event. These funds are provided through the SAMHSA appropriation rather than $10,000,000 being provided through the Public Health and Social Services Emergency Fund as proposed by the Senate.

The conference agreement provides $2,000,000 above the request to continue the current level of funding for the consumer and consumer-supported national technical assistance centers as proposed by the Senate. The conferee direct CMHS to support multi-year grants to five such national technical assistance centers.

The conference agreement provides $5,000,000 to continue the elderly treatment and outreach program as proposed by the Senate.

As proposed by the Senate, the conference agreement provides $5,000,000 for the jail diversion program and $1,000,000 for new awards under the community action grant program.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Access Community Health Network in Chicago, Illinois for an initiative to improve mental health services at their community health centers	$350,000
Arab-American & Chaldean Council, Lathrup Village, Michigan, to develop a comprehensive and systems mental health initiative for the prevention and treatment of substance abuse among Arab-Americans	500,000
Bellfaire Jewish Children's Bureau, Shaker Heights, Ohio, for Social Advocates for Youth (SAY) program to provide early intervention and substance abuse services to high school students	605,000

Bert Nash Community Mental Health Center in Lawrence, Kansas to provide mental health services in schools and other settings to prevent juvenile crime and substance abuse among high-risk youth	150,000
Center for Mind Body Medicine, Washington, D.C., to train health and mental health professionals in treating war and terrorism related trauma in the U.S. and abroad	200,000
City of San Francisco to develop a Homeless Management Information System to track and address the needs of the homeless	150,000
Covenant House Pennsylvania to support programs at its Crisis Residence for runaway and homeless youth in Philadelphia.	500,000
Emergency Shelter of the Fox Valley, Inc. in Appleton, Wisconsin to expand programs providing temporary shelter and mental health services to the homeless	30,000
Family Communications Inc. in Pittsburgh—for an antiviolence program entitled the National Preschool Anger Management Project	150,000
Family Communications Inc. to implement the National Preschool Anger Management Project in Iowa	250,000
Family Support Systems Unlimited in the Bronx, New York for mental health services	250,000
Hub Program in Billings, Montana to provide services to the low-income mentally ill	400,000
Interlink Counseling Services, Louisville, Kentucky, for drug prevention programs	30,000
Jewish Association for Residential Care, Farmington Hills, Michigan, to develop and expand mental health support and long-term case management	500,000
KidsPeace in Pennsylvania	100,000
Kidspeace, Graham Lake Campus, Maine	450,000
Lawrence Hall Youth Services (LHYS) in Chicago, Illinois for mental health and related support services	250,000
Life Quest Community Mental Health Center for treatment of co-occurring disorders in the population of Mat-Su Valley	400,000
Meeting Street Center in East Providence, Rhode Island for children's mental health and enhanced early intervention support services	400,000
Mentally Ill Offender Crime Reduction demonstration in Ventura, California	400,000
Montrose Counseling Center in Houston, Texas for mental health services	100,000
Operation Breakthrough at Saint Vincent's Family Service Center in Kansas City, Missouri for family mental health services	350,000
Pacific Clinics in Arcadia, California to support a school-based mental health demonstration program for Latina adolescents	500,000
San Francisco Department of Public Health in San Franciso, California for mental health and substance abuse services for homeless persons in supportive housing	750,000
Smith Haven Ministries in Coram, New York for mental health counseling services	500,000
Sowing the Seeds of Hope to provide mental health support for distressed farm families	100,000
State of Alaska Department of Health and Social Services Suicide Prevention Program to identify, intervene and treat individuals in Alaska at risk of suicide	250,000
Texas Medication Algorithm Project (T-MAP) in Tarrent County, Texas for further development, testing, and implementation of the computerization program	300,000
United Migrant Opportunities Services to provide comprehensive, bilingual, bicultural services to Latina women and families who are victims of domestic violence	60,000

The conference agreement includes $440,000,000 for the mental health block grant instead of $433,000,000 as proposed by the Senate and $438,000,000 as proposed by H.R. 246.

The conference agreement includes $98,694,000 for children's mental health grants rather than $96,694,000 as proposed by the Senate and H.R. 246.

The conference agreement provides $43,355,000 for grants to States for the homeless (PATH) rather than $46,855,000 proposed by the Senate and $39,855,000 proposed by H.R. 246.

The conference agreement includes $34,000,000 for protection and advocacy instead of $32,500,000 as proposed by H.R. 246 and $35,500,000 as proposed by the Senate.

CENTER FOR SUBSTANCE ABUSE TREATMENT

The conference agreement includes $319,354,000 for programs of regional and national significance instead of $296,314,000 as proposed by H.R. 246 and $310,000,000 as proposed by the Senate.

The conference agreement includes sufficient funding to support methamphetamine prevention and treatment demonstration projects in Iowa and other parts of the Midwest and South.

The conference agreement provides $3,000,000 for the Residential Treatment Program for Pregnant and Postpartum Women.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Alaska Christian College at Kenai for the support of residential substance abuse program for adolescents	$200,000
Allegheny County, Department of Human Services, Pittsburgh, PA., for drug and alcohol treatment	100,000
Baltimore City Health Department, Baltimore, Maryland, to expand drug treatment services	450,000
City of Vallejo Fighting Back Partnership in Vallejo, California for a pilot program to identify and treat youth who are abusing alcohol or drugs	275,000
Community Services for Children, Lehigh County, PA., to remediate and reverse the impact of drug use by pregnant mothers on their newborn infants	100,000
Cook Inlet Council (Kenai) Council on Alcohol and Drug Abuse for treatment of women and children with substance abuse problems	400,000
Cook Inlet Tribal Council's Ernie Turner Center to continue outpatient and inpatient substance abuse treatment	500,000
Copper River Native Association's Hudson Lake Spirit Camp for a substance abuse spirit camp program	250,000
Fairbanks Memorial Hospital to provide treatment and services to chronic inebriates in Fairbanks	400,000
Fairbanks Native Association's Lifegivers Program residential treatment program for pregnant women and their children	500,000
Flowering Tree in Pine Ridge, SD for residental substance abuse treatment programs for young mothers and pregnant women on the Pine Ridge Indian Reservation.	300,000
Gavin Foundation in South Boston, Massachusetts, for the Cushing House substance abuse treatment program for adolescent males	250,000
Lindy's Place in New Orleans, LA to integrate substance abuse treatment program into domestic violence programs	50,000
Southcentral Foundation's Pathways Home Residential Treatment center for adolescent substance abusers	2,000,000
Southeast Alaska Regional Health Consortium Deilee Hit residential substance abuse treatment program for pregnant women and their children	400,000

Tanana Chiefs Conference and Fairbanks Native Association to continue the Ch'eghutsen comprehensive mental health services program for children in Interior Alaska	800,000
Tundra Swan Inhalant Abuse Treatment Center in Bethel, Alaska for operational support	1,500,000
Vocational Instruction Project Community Services in The Bronx, New York for mental health and substance abuse services, including services for families	300,000

The conference agreement includes $1,765,000,000 for the Substance Abuse Performance Partnership, of which $1,702,800,000 is budget authority and $62,200,000 is provided through the PHS evaluation funding tap. H.R. 246 had proposed $1,745,000,000 and the Senate proposed $1,785,000,000, of which $62,200,000 was derived through the evaluation tap. The conference agreement includes bill language establishing a limitation of five percent of the performance partnership appropriation for funding of data collection activities as proposed by the Senate.

CENTER FOR SUBSTANCE ABUSE PREVENTION

The conference agreement includes $198,401,000 for programs of regional and national significance instead of $202,000,000 as proposed by H.R. 246 and $183,379,000 as proposed by the Senate.

The conference agreement provides funds over the budget request for Starting Early, Starting Smart and Community-Initiated Prevention Intervention. $5,000,000 is included to continue and expand the ecstasy program funded last year; $10,000,000 is provided for FAS/FAE prevention and treatment programs; and no less than last year's level is provided for the National Clearinghouse for Alcohol and Drug Information.

The Starting Early, Starting Smart program has demonstrated proven results in improving family management, reducing drug and alcohol abuse, and improving child development and resilience.

The conferees include the following amounts for the following projects and activities in fiscal year 2003:

Children's Home of Easton Services Inc., Easton, PA for at-risk youth counseling	$100,000
Community Health Centers in the Big Island of Hawaii for a youth anti-drug program	250,000
Fenway Community Health Center, Boston, Massachusetts, to provide comprehensive health care, mental health, and drug treatment services to low-income HIV and AIDS patients.	150,000
Hands Across Cultures in Espanola, New Mexico, for the Black Tar Heroin Coalition	350,000
Institute for Research, Education, and Training in Addictions, Pittsburgh, PA for treatment approaches and health policy development	250,000
Iowa State University in Ames, Iowa for the Rock in Prevention program	300,000
Jefferson Parish, SE Louisiana Drug Prevention Education program for students drug testing assessment, counseling treatment, drug education, outreach services and program evaluation	500,000
Life Haven, Inc. in New Haven, Connecticut, for services to promote resilence for homeless and other at-risk children	350,000
Silver Spring Neighborhood Center for an alcohol, tobacco and drug prevention program for youths	11,000
South Boston Community Health Center in South Boston, Massachusetts for a substance abuse prevention initiative	200,000
Southeast Louisiana Drug Prevention and Education Program in Jefferson, LA for student drug testing, counseling, drug education, outreach and program evaluation	100,000
St. Francis House in Boston, MA to provide mental health and substance abuse programs to the homeless	125,000
Start SMART Foundation, Bethlehem, PA for the expansion of a pilot project to examine the distribution of a saliva alcohol test	225,000
Teen Court of Greater New Orleans to expand its Drug Prevention program	50,000
University of South Dakota to continue the work of the Consortium on Fetal Alcohol Syndrome regarding development and testing of a prevention model for women considered at-risk for abusing alcohol during their childbearing years	700,000
University of Vermont to disseminate a multimedia drug abuse prevention program to middle school students throughout the state	50,000

Within the total provided for SAMHSA, $109,100,000 is for activities that are targeted to address the growing HIV/AIDS epidemic and its disparate impact on communities of color, including African Americans, Latinos, Native Americans, Asian Americans, Native Hawaiians, and Pacific Islanders. The conferees expect SAMHSA to follow the fiscal year 2002 House report regarding the disbursement of these funds.

Within the total funding for the Minority HIV/AIDS Initiative, $8,000,000 is for the treatment of mental health disorders related to HIV disease, including dementia, clinical depression and chronic, progressive neurological disabilities that often accompany HIV disease.

Within the total funding for the Minority HIV/AIDS Initiative, $61,000,000 is to enhance the quality of services and expand the service capacity of substance abuse treatment programs with a history of providing services to high risk communities of color that are severely impacted by substance abuse and HIV/AIDS.

Within the total funding for the Minority HIV/AIDS Initiative, $40,100,000 is to provide grants for planning and services to organizations with a history of providing services to high risk communities of color to enhance the quality of services and to expand substance abuse prevention service capacity in communities of color disproportionately impacted by the HIV/AIDS epidemic.

PROGRAM MANAGEMENT

The conference agreement includes $86,467,000 for program management, of which $12,000,000 is provided through the evaluation set-aside. This is the same allocation as proposed by the Senate. H.R. 246 proposed $91,467,000.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

HEALTHCARE RESEARCH AND QUALITY

The conference agreement includes $303,695,000 instead of $298,745,000 as proposed by H.R. 246 and $308,645,000 as proposed by the Senate. The agreement provides all these funds through the policy evaluation set-aside. H.R. 246 had provided $296,145,000 through the evaluation set-aside. The Senate had provided these funds through budget authority. The conference agreement also provides $5,000,000 for AHRQ bioterrorism activities through the Public Health and Social Services Emergency Fund.

The agreement provides $55,000,000 for reducing medical errors as proposed by H.R. 246. The Senate provided $60,000,000. The agreement provides $53,300,000 for health insurance and expenditure surveys as proposed by the Senate instead of $48,500,000 proposed in H.R. 246. The agreement provides $2,700,000 for program management as proposed by the Senate instead of $2,600,000 as proposed by H.R. 246.

The conference agreement does not permit the transfer of $10,000,000 to the Department of Commerce for the Current Population Survey. This is consistent with H.R. 246 and the Senate bill.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

PROGRAM MANAGEMENT

The conference agreement includes $2,581,672,000 for program management instead of $2,550,488,000 as proposed by H.R. 246 and $2,559,664,000 as proposed by the Senate. An additional appropriation of $720,000,000 has been provided for the Medicare Integrity Program through the Health Insurance Portability and Accountability Act of 1996 as proposed by the Senate rather than $700,000,000 as proposed by H.R. 246. A citation for the Medicare, Medicaid and SCHIP Benefits Improvement and Protection Act proposed by H.R. 246 is not included in the conference agreement because more general authorities are cited.

RESEARCH, DEMONSTRATION, AND EVALUATION

The conference agreement includes $74,194,000 for research, demonstration, and evaluation instead of $68,400,000 as proposed by the Senate and $33,510,000 as proposed by H.R. 246.

Within the total provided, $40,000,000 is for Real Choice Systems Change Grants to States. The conferees continue to strongly support the Real Choice Systems Change grants and expect CMS to provide expanded technical assistance to the consumer task forces involved with the program by contracting with a consortium of consumer controlled organizations for people with disabilities. The conferees request the Secretary to report on the activities and accomplishments of the Community Living Exchange Cooperative by July 1, 2003.

The conferees are pleased with the currently ongoing Prescription Continuity of

Care and Emergency Department Continuity of Care Projects and recommend their continuation. The conferees are pleased with the demonstration project being conducted at the Mind-Body Institute of Boston, Massachusetts, and recommend its continuation.

The agreement includes bill language for the following projects and activities for fiscal year 2003:

AIDS Healthcare Foundation in Los Angeles for a demonstration of residential and outpatient treatment facilities	$1,500,000
Bucks County Health Improvement Project, Langhorne, Pennsylvania	500,000
Children's Hospice International demonstration program to provide a continuum of care for children with life-threatening conditions and their families	464,000
Children's Hospitals and Clinics of Minneapolis/St. Paul, in partnership with the National Hospice and Palliative Care Organization, for a demonstration project to provide pediatric palliative care education and consultation services	350,000
Community Catalyst Inc. in Boston, MA to expand a benefits management program to improve the delivery of healthcare benefits to low-income individuals	100,000
Cook County Illinois Bureau of Health Services, to improve the management of the vulnerable patients with poorly controlled diabetes	75,000
County of Sacramento, California for implementation of the SacAdvantage pilot program to increase availability of health insurance for uninsured workers and their dependents through premium subsidies and purchasing pools	700,000
Equip for Equality in Chicago, Illinois for a demonstration project to document the impact of an independent investigative unit to examine deaths and serious allegations of abuse and neglect of people with disabilities at facilities in Illinois	200,000
Hamot Medical Center, Erie, PA, for a demonstration project for the evaluation of advanced illness coordinated care for Medicare Beneficiaries	300,000
Hope House Day Care Center in Memphis, Tennessee for a demonstration project on improving the overall well-being of HIV positive children	100,000
Hospice of Metro Denver in Denver, Colorado to establish a clinical and training affiliation with the University of Colorado's Health Science Center and to develop cutting-edge palliative care practices	500,000
Illinois Primary Health Care Association, in Springfield, Illinois, to implement the Shared Integrated Management Information System	350,000
Jefferson Area Board for Aging, Charlottesville, Virginia, for continuation of the recruitment, retention, training, and support of nursing assistants	100,000
Johns Hopkins School of Medicine, Baltimore, MD., for an advanced respiratory Medicine project to study in-home, self-administered high frequency chest wall oscillation therapy	100,000
Medical Care for Children Partnership, Fairfax, Virginia, to provide outreach to increase access to medical and dental care for children	130,000
The Breast Cancer Fund in San Francisco, California for the ''Lifelines'' project to increase access to breast cancer treatment for medically underserved women (in collaboration with Shanti)	325,000

MEDICARE CONTRACTORS

The conference agreement includes $1,677,584,000 for Medicare contractors instead of $1,675,084,000 as proposed by H.R. 246 and $1,680,084,000 as proposed by the Senate. Within the total provided, $12,500,000 is to support grants for State Health Insurance Counseling and Assistance programs as proposed by the Senate. The conferees recommend that CMS eliminate the five percent cap on transferring funds between functions so that contractors may have greater flexibility to manage their resources to match programmatic needs.

FEDERAL ADMINISTRATION

The conference agreement includes $575,497,000 for Federal administration rather than $587,497,000 as proposed by H.R. 246 and $556,783,000 as proposed by the Senate. The agreement provides $13,000,000 for the Medicaid Healthy Start, Grow Smart campaign.

The conferees direct that the Centers for Medicare and Medicaid Services utilize data reflecting the current cost of liability insurance to determine current Medicare payment rates, including annual updates to the malpractice geographic practice cost index.

The conferees are concerned about the widespread failure of States to provide screening for lead poisoning to children served by Medicaid, as required by Federal law. The conferees expect CMS to provide national leadership to ensure Medicaid lead screening consistent with age and risk factors recommended by CDC. CMS is also encouraged to ensure Medicaid coverage of environmental investigations, including analysis of samples to identify lead hazards in the home of a poisoned child.

The conferees direct the Secretary of Health and Human Services to review the Medicare Geographic Classification Review Board's criteria for reclassification determinations with respect to making payments to hospitals. The conferees request the review to include a detailed analysis of disparities among hospitals' reimbursement rates for hospitals in metropolitan statistical areas that border on areas that have higher wage indices; the difficulty hospitals face in losing skilled medical personnel to neighboring areas with urban classifications and higher wage and salary structures; geographic and environmental impediments to traditional community routes; the base costs on which the wage index is applied; and the effect lower wage indices have on the quality of care. The conferees expect the Secretary to report to the Committees no later than May 30, 2003.

The conferees concur in the language in the Senate explanatory statement requesting the Secretary to conduct a comprehensive study of current literature and best practices to determine the cost-effectiveness of behavioral-based weight loss services. The conferees expect such a study to be completed within six months of enactment of the appropriations bill.

The conferees are agreed that the last paragraph under CMS Program Management, Federal administration, in the Senate explanatory statement, pertaining to a study of claims data, is deleted.

The conferees urge CMS to promulgate regulations establishing the same definition of ''audiologist'' for the Medicaid program as is currently used in the Medicare program. The conferees also note that both the Department of Veterans Affairs and the Office of Personnel Management allow participants in their respective health care programs direct access to audiologists, and recommend that CMS adopt a policy for Medicare consistent with these successful initiatives.

The conferees are concerned about the growing national shortage of nursing and allied health professionals. This concern is evidenced by the recent passage of the Nurse Reinvestment Act of 2002. Medicare has historically paid a share of the net costs of approved nursing and allied health education costs associated with a nursing and allied health education program operated by a hospital. The conferees are particularly concerned about nursing and allied health educational programs that cannot meet the regulations set forth at 42 C.F.R. §413.85(f) solely as a result of regional educational accrediting criteria. Given the shortage of nursing and allied health professionals, the conferees support the payment of costs on a reasonable cost basis for a hospital that has historically been the operator of nursing and allied health educational program(s) that qualified for Medicare payments under 42 C.F.R. §413.85, but, solely in order to meet educational standards, subsequently relinquishes some control over the program(s) to an educational institution, which: meets regional accrediting standards; is wholly owned by the provider; and is supported by the hospital, i.e., the hospital is incurring the costs of both the classroom and clinical training portions of the program. Moreover, a hospital could bear all the costs of the training but share curriculum control with the educational institution. It was not the intent of Congress in Section 6205 of Public Law 101–239 nor Section 4159(b) of Public Law 101–508 to preclude hospitals from receiving reasonable cost pass-through payments for nursing and allied health educational programs based solely on conflicting accreditation educational standards.

ADMINISTRATION FOR CHILDREN AND FAMILIES

REFUGEE AND ENTRANT ASSISTANCE

The conference agreement appropriates $446,724,000 as proposed by H.R. 246 instead of

$442,724, 000 as proposed by the Senate. Within this amount, $151,121,000 is provided for Social Services, as proposed in H.R. 246. The Senate bill included $147,121,000 for this purpose.

The conferees recognize the importance of continued educational support to schools with a significant proportion of refugee children, consistent with previous support to schools heavily impacted by large concentrations of refugees, and urge the Office of Refugee Resettlement to support these efforts should funding become available in the Social Services or other accounts.

The agreement also includes $19,000,000 for increased support to communities with large concentrations of refugees whose cultural differences make assimilation especially difficult justifying a more intense level and longer duration of Federal assistance.

CHILDREN AND FAMILIES SERVICES PROGRAMS

The conference agreement includes $8,643,117,000 for children and families services programs instead of $8,467,062,000 as proposed by H.R. 246 and $8,648,884,000 as proposed by the Senate.

Runaway youth

The conference agreement includes $90,567,000 for runaway youth instead of $93,000,000 as proposed by the Senate and $88,133,000 as proposed by H.R. 246. Within the funds provided, $40,770,000 is available for the transitional living program (TLP). The conference agreement includes these additional resources to meet the needs of more young people in need of services.

Child abuse

The conference agreement includes $34,066,000 for child abuse discretionary programs instead of $26,351,000 as proposed by H.R. 246 and the Senate. Within the funds provided for child abuse prevention programs, the agreement includes the following items:

AGAPE of Central Alabama, Inc., Montgomery, Alabama, for their work with the children in need	$70,000
Alameda County Social Service Agency, Alameda County, California, for Another Road to Safety Program to serve low to moderate risk families	440,000
Alaska Department of Health and Social Services, in consultation with the Alaska Native Health Board, the Municipality of Anchorage, Cook Inlet Tribal Council, University of Alaska, and the Anchorage Women's Commission to develop a comprehensive statewide plan on	600,000
Asian Pacific Women's Center, Inc., Los Angeles, CA., for Domestic Violence Transitional Housing program to protect at risk children	150,000
Boys and Girls Home of Nebraska Child Abuse Prevention Program to provide statewide child abuse prevention and counseling services to families	350,000
Catholic Community Services/Juneau Family Resource Center in Alaska to address child abuse prevention issues	250,000
Center for Women and Families, Inc., Louisville, Kentucky, for child abuse prevention programs	100,000
Child Welfare League of America, Inc., Washington, DC, for study on Monitoring Safety of Children in Foster Care	500,000
Childhelp USA, Fairfax, Virginia, to reduce the incidence and severity of child abuse and enhance the ability to investigate reports and meet the needs of victims of child abuse	250,000
Children's Village, Inc. in Pine Ridge, South Dakota to serve children of the Oglala Sioux Tribe who are abused and neglected and are removed from the care of their parents	140,000
Communities against Domestic Violence, Falls Church, VA, to prevent family violence in language-minority communities	240,000
Homeless Prenatal Program, San Francisco, CA, for services to at-risk children	400,000
Nexus Diversified Community Services of Manteno, Illinois, to enhance and expand its community-based residential center for sexually abused youth.	1,100,000
Mockingbird Society of Seattle, Washington to pilot a model program for maintaining and stabilizing children in the state foster care system	325,000
Ohel Children's Home and Family Services, Brooklyn, NY, for a child abuse prevention program	300,000
Parents Anonymous of Iowa to expand child abuse prevention services in Iowa	50,000
Parents for Meghan's Law in Stony Brook, New York for educational programs for victims of child abuse and their families	100,000
State of Alaska for emergency housing for victims of child abuse in Anchorage, Alaska	250,000
State of Alaska Healthy Families/Better Beginnings home visiting program for State of Alaska and regional Native nonprofit organizations	2,000,000
Vanessa Behan Crisis Nursery, Spokane, Washington, to create a national demonstration project	100,000

Compassion Capital Fund

The conference agreement includes $35,000,000 for the compassion capital fund, instead of $30,000,000 as proposed by H.R. 246 and $45,000,000 as proposed by the Senate.

Social services and income maintenance research

The conference agreement includes $34,937,000 for social services and income maintenance research instead of $6,000,000 as proposed by H.R. 246 and the Senate. $6,000,000 of this total is provided through the Public Health Service evaluation funding tap as proposed by the Senate. The conferees note that efforts undertaken through the State information technology consortium have led to greatly improved systems communications and compliance in both the TANF and child support enforcement (CSE) programs. For TANF, the conferees have provided $2,000,000 to permit the consortium to put in place a web-based technology that allows for communications and interface within States, across State borders, and between ACF and States. For CSE, the conferees have provided $3,000,000 to launch the next phase of the consortium's efforts to remove barriers to child support collections and to improve the flow of information between agencies and the court system. The conferees also provide funding for the following:

Alaska Children's Services program to serve needs of at risk youth in Anchorage	$250,000
Bethesda Children's Home	150,000
Clearbrook, Arlington Heights, Illinois	187,000
Concerned Citizens, Inc., Chicago, Illinois, for Mother's House	250,000
Fathers Day Rally Committee, Philadelphia, PA for the Rites of Passage program	150,000
Good Shepherd Alliance, Inc., Leesburg, Virginia, for Hand up to Self Sufficiency for the Homeless project	50,000
Gulf Coast Jewish Family Services, Inc., Clearwater, Florida for Battered Immigrant and Refugee Women's Project	500,000
National Energy Assistance Directors Association, Washington, DC, for studies regarding home energy assistance	200,000
San Jose Office on Child Care, San Jose, CA, for pilot program to increase access to child care resources	100,000
St. Elizabeth's Foundation in Baton Rouge, LA for an adoption awareness campaign	100,000
The Institute for Responsible Fatherhood and Family Revitalization, PA., for the Philadelphia non-custodial fatherhood program to reconnect fathers with their children	100,000
University of Alaska School of Social Work to evaluate effectiveness of Alaska's child welfare system	750,000
Henry Hosea House in Kentucky for support of programs that serve the homeless and needy	150,000

Developmental disabilities

For Developmental Disabilities, the conference agreement includes $71,600,000 for State Councils instead of $69,800,000 as proposed by H.R. 246 and $72,200,000 as proposed by the Senate. The conference agreement includes $36,500,000 for protection and advocacy services instead of $35,000,000 as proposed by H.R. 246 and $37,000,000 as proposed by the Senate. It also includes $12,484,000 for special projects instead of $11,734,000 as proposed by

H.R. 246 and $12,734,000 as proposed by the Senate. For university-affiliated programs, the agreement includes $25,125,000 instead of $24,000,000 as proposed by H.R. 246 and $25,500,000 as proposed by the Senate.

Native American Programs

The conference agreement includes $45,754,000 for Native American Programs, instead of $45,196,000 as proposed by H.R. 246 and $45,912,000 as proposed by the Senate. Within the total the conferees provide funding for the following:

Blanket of Wellness program of Southeast Alaska Regional Health Corporation and Central Council of Tlingit-Haida Social Services to promote healthy development of Alaska Native children in Southeast Alaska	$200,000

Community services

The conference agreement includes $649,987,000 for the community services block grant as proposed by the Senate instead of $570,000,000 as proposed by H.R. 246. The conferees believe that the activities funded by the Community Services Block Grant program have made an important difference in the lives of many of our citizens living in some of the more economically depressed parts of our country. However, it has come to the attention of the conferees that one or more States may have accumulated sizeable unexpended balances of CSBG funds and have failed to reallocate all such funds to other eligible grantees, as authorized by the Community Services Block Grant Act. The conferees request that the Secretary of Health and Human Services provide to the Committees on Appropriations a report detailing the levels of unexpended balances of Community Services Block Grant funds in each State for the period of fiscal year 1995 through fiscal year 2002 and a plan ensuring that these funds are made available to grantees more expeditiously in the future. The Secretary is requested to provide this report by August 15, 2003.

The conference agreement also includes $32,759,000 for economic development, instead of $32,517,000 as proposed by H.R. 246 and $33,000,000 as proposed by the Senate. The conferees also set aside $5,500,000 within the community economic development program for the job creation demonstration authorized under the Family Support Act.

The conference agreement includes $7,250,000 for Rural Community Facilities instead of $7,000,000 as proposed by H.R. 246 and $7,500,000 as proposed by the Senate.

The conference agreement includes $7,329,000 for community food and nutrition, instead of $6,657,000 as proposed by H.R. 246 and $8,000,000 as proposed by the Senate.

Family violence prevention and services

The conference agreement includes $15,500,000 for runaway youth prevention instead of $14,999,000 as proposed by H.R. 246 and $16,000,000 as proposed by the Senate.

The conference agreement includes $2,579,000 for the domestic violence hotline instead of $2,157,000 as proposed by H.R. 246 and $3,000,000 as proposed by the Senate.

The conference agreement also includes $127,230,000 for Battered Women's Shelters instead of $124,459,000 as proposed by H.R. 246 and $130,000,000 as proposed by the Senate.

Early learning opportunities

For the Early Learning Fund, the agreement includes $34,000,000 instead of $38,000,000 as proposed by the Senate. H.R. 246 did not include funding for this program.

Mentoring children of prisoners

The conference agreement includes $10,000,000 for Mentoring Children of Prisoners instead of $12,500,000 as proposed by the Senate. H.R. 246 did not include funding for this newly proposed program.

Independent living training vouchers

The conference agreement includes $42,000,000 for Independent Living Training Vouchers instead of $39,769,000 as proposed by H.R. 246 and $60,000,000 as proposed by the Senate.

Program administration

The conference agreement includes $172,997,000 for Program Direction instead of $171,837,000 as proposed by H.R. 246 and $171,747,000 as proposed by the Senate.

PROMOTING SAFE AND STABLE FAMILIES

The conference agreement includes $100,000,000 for the discretionary grant program of Promoting Safe and Stable Families, instead of $70,000,000 as proposed by H.R. 246 and $200,000,000 as proposed by the Senate.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

The conference agreement includes $1,376,001,000 for aging services programs instead of $1,355,844,000 as proposed by H.R. 246 and $1,369,290,000 as proposed by the Senate.

The conference agreement includes $358,000,000 for supportive centers, instead of $357,000,000 as proposed by H.R. 246 and $359,000,000 as proposed by the Senate.

The agreement also includes $22,062,000 for preventive health services instead of $21,562,000 as proposed by H.R. 246 and $22,562,000 as proposed by the Senate. The conferees intend that $5,500,000 be made available to expand medication management, screening and education activities, including the use of new medication management devices, to prevent incorrect medication and adverse drug reactions among the elderly.

The conference agreement also includes $18,681,000 for ombudsman/elder abuse prevention activities, instead of $17,681,000 as proposed by H.R. 246 and $19,681,000 as proposed by the Senate. The conferees intend that the $1,000,000 increase over last year's level should be made available for the Long-Term Ombudsman Program. That will allow the program to hire additional staff, expand public information and education campaigns and upgrade technology.

The agreement also includes $6,250,000 for Native American caregivers instead of $6,000,000 as proposed by H.R. 246 and $6,500,000 as proposed by the Senate.

The conference agreement includes $387,108,000 for congregate meals; $182,169,000 for home delivered meals; and $149,000,000 for the nutrition services incentives program. The conference agreement amends the Older Americans Act and transfers the Nutrition Services Incentives Program from the U.S. Department of Agriculture to the Administration on Aging within the U.S. Department of Health and Human Services and maintains access to commodities within USDA.

The agreement includes $40,521,000 for aging research, training and demonstrations instead of $27,837,000 as proposed by H.R. 246 and the Senate. The conferees continue to support funding at no less than last year's level for national programs scheduled to be refunded in fiscal year 2003 that address a variety of issues, including elder abuse, Native American issues and legal services. The conferees also include the following amounts under aging research, training, and demonstrations:

Champions for Change, Flossmoor, IL, for a Senior Wellness Program	$100,000
Champlain Senior Center in Burlington, VT, to support its seniors and technology initiative	75,000
Coalition of Wisconsin Aging Groups in Madison, Wisconsin, to provide assistance and education to the legal community and the public about elder financial abuse	100,000
Commission on Jewish Eldercare Services, Bloomfield Hills, Michigan, to reach out to additional seniors in Oakland County who require services in order to remain living independently	450,000
Comprehensive Housing Assistance, Inc., Baltimore, MD, for demonstration project on Naturally Occurring Retirement Communities to the Baltimore Jewish Naturally Occurring Retirement Community	524,000
Dale County, Alabama, Senior Citizens Center	40,000
Des Moines University in Des Moines, Iowa for a survey of geriatric health needs,	500,000
Generations of Hope, Rantoul, Illinois, to begin the process of replicating the Hope Meadows model nationally	500,000
Greater Miami Jewish Federation, Inc., for a Naturally Occurring Retirement Community project for seniors living independently	500,000
Hickman County Senior Center, Clinton, Kentucky, to provide educational services to seniors population	25,000
Iowa Department of Elder Affairs Seamless System to continue the integration of senior programs. In administering this award, the AoA and CMS should continue to provide the technical assistance and related support necessary to develop and implement program	1,000,000
Iowa State University, Ames, Iowa, for Universal Kitchen Design project	300,000
Jewish Family and Children's Service, Minneapolis, MN, for program for seniors in Naturally Occurring Retirement Community	1,200,000
Jewish Family Children's and Children's Service of Greater Philadelphia for Naturally Occurring Retirement Communities (NORCs)	250,000
Jewish Family Service of Los Angeles, CA, for project to assist seniors living independently	500,000
Jewish Federation of Greater Atlanta, Atlanta, Georgia	100,000

Jewish Federation of Greater Washington to establish a Naturally Occurring Retirement Communities (NORCs) demonstration project providing supportive services to seniors 850,000

Jewish Federation of Metropolitan Chicago, Chicago, IL, for services to elderly residents in Naturally Occurring Retirement Community 250,000

Jewish Federation of Nevada for a demonstration project to develop innovative models of community-based health and social service provision for older Americans 650,000

Maria-Madeline Project, Oak Park, MI, for the Experience Senior Power Program to help underprivileged seniors bridge the digital gap 120,000

Mecklenburg County, North Carolina, Nutrition 2000 program to help provide nutritional care for homebound frail senior citizens 700,000

Metropolitan Family Services, Chicago, IL, for the Seniors Raising Children program 225,000

National Center for Seniors' Housing Research, Upper Marlboro, MD, for research and development of smart-aging solutions 250,000

Northern Michigan University, Marquette, MI, for the Center for Gerontological Studies 200,000

Rebuilding Together with Christmas in April, Washington, DC, for Safe at Home 400,000

Southcare Home Services to establish a pilot program on home-based care for low-income elderly individuals 500,000

St. Louis Area Agency on Aging, St. Louis, MO, for the Senior Center Healthcare Coordinator Program 150,000

St. Luke Lutheran Community, North Canton, Ohio, Quality of Care demonstration to assist older adults with living and independent living in Canton and Stark County 250,000

St. Mark Professional Medical Center, Ltd., Harvey, IL, for Project New Start 100,000

The Carolinas Center for Hospice and End of Life Care, Cary, NC, for development of national data collection system 250,000

The Jewish Federation of Greater Albuquerque for the New Mexico NORC demonstration 225,000

United Jewish Federation of Greater Pittsburgh for the Jewish Association on Aging, Pittsburgh, PA, for Naturally Occurring Retirement Communities 250,000

University of Indianapolis, Indianapolis, IN, for Center for Aging and Community project to help seniors cope with chronic conditions of aging 200,000

University of South Florida, Tampa, FL, for the Florida Policy Exchange Center on Aging 400,000

Visiting Nurse Association Healthcare Partners of Ohio, Cleveland, Ohio, for Healthy Town program for Seniors 500,000

Westchester County Department of Senior Programs and Services, Mt. Vernon, NY, for development of automated call program for home-bound seniors 50,000

The conference agreement includes $13,500,000 for the Alzheimer's Initiative instead of $11,500,000 as proposed by H.R. 246 and $14,000,000 as proposed by the Senate. The conferees intend that $1,000,000 of this funding be used to support an Alzheimer's family contact center for round-the-clock help to Alzheimer's families in crisis.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

The conference agreement includes $367,215,000 for general departmental management instead of $358,451,000 as proposed by H.R. 246 and $374,386,000 as proposed by the Senate, along with $5,851,000 from Medicare trust funds. In addition, the agreement provides $21,552,000 in program evaluation funds as proposed by H.R. 246. The Senate did not provide for evaluation funds in this account.

The conferees have not approved the proposed consolidation of all public affairs and legislative affairs funds and functions in the Office of the Secretary. As a result, the conference agreement includes neither the $27,793,000 requested to transfer staff from the operating divisions to the Office of the Secretary nor the proposed bill language to transfer funds from accounts of the National Institutes of Health and the Agency for Healthcare Research and Quality for the purpose of consolidating all of HHS legislative and public affairs activities within the Office of the Secretary.

The conferees include the amounts for the following projects and activities in fiscal year 2003 listed below.

ARCH National Resource Center on Respite and Crisis Services in Chapel Hill, North Carolina, to expand training, technical assistance, evaluation and networking expertise in respite care $100,000

Community Transportation Association of America for TA to human services transportation providers on ADA requirements 1,000,000

National Congress of State Games for the improvement and expansion of the Summer Senior Olympic games in Pennsylvania and other states 100,000

Palmer College on Chiropractice, Consortial Center for Chiropractic Research in Davenport, Iowa, and the Policy Institute for Integrative Medicine in Philadelphia, PA for a best practices initiative on lower back pain 100,000

The conferees direct that responses to specific information requests from the chairman and ranking member of the Subcommittees on Labor, Health and Human Services, and Education, and Related Agencies, on scientific research or any other matter, shall be transmitted to the Committees on Appropriations in a prompt, professional manner and within the time frame specified in the request. The conferees further direct that scientific information requested by the Committees on Appropriations and prepared by government researchers and scientists be transmitted to the Committees on Appropriations, uncensored and without delay.

Within the total provided, $4,000,000 is for the United States-Mexico Border Health Commission as proposed by the Senate. H.R. 246 did not specify an amount for the Commission.

The agreement provides $31,124,000 for the adolescent family life program as proposed by H.R. 246 and the Senate. The agreement includes bill language earmarking $11,885,000 under the adolescent family life program for activities specified under section 2003(b)(2) of the Public Health Service Act, of which $10,157,000 shall be for prevention grants under section 510(b)(2) of Title V of the Social Security Act, without application of the limitation of section 2010(c) of Title XX of the Public Health Service Act.

The agreement provides $56,592,000 for minority health instead of $46,329,000 as proposed by the Senate and $43,057,000 as proposed by H.R. 246. Within the total provided for the Office of Minority Health, $11,700,000 is to promote an effective culturally competent and linguistically appropriate public health response to the HIV/AIDS epidemic. Funds are to be allocated based on HIV/AIDS program priorities identified in the previous fiscal year as well as new priorities as funding permits.

The conferees instruct the Secretary to provide a report to the Appropriations Committees by October 15, 2003 detailing how each of the HHS agencies and offices receiving funding under the Minority HIV/AIDS Initiative have distributed this funding. This report shall include a list of the agencies/organizations receiving MHAI funded grants and sub grants, demonstrate how the participation of minority community-based organizations has been maximized, and the extent to which the funded agencies'/organizations' board, management and key staff are representative of the minority communities served, situated closest to the targeted problem, have a history of providing services to these communities, and have documented linkages to the targeted populations.

The conferees continue to recognize the importance of OMH's partnerships with minority health professions institutions. Specifically, the conferees encourage OMH to continue its successful cooperative agreement with Meharry Medical College aimed at meeting the challenges of academic opportunity for disadvantaged students and improving health care for underserved communities. In addition, the conferees strongly encourage OMH to give priority consideration to partnering with the Morehouse School of Medicine to plan for its continued strategic growth and development.

The conferees include the amounts for the following projects and activities in fiscal year 2003 listed below.

African Heritage, Inc. in Appleton, Wisconsin to improve the health status of African American residents through a community-based referral and counseling program	$50,000
Dimock Community Health Center, Boston, Massachusetts, for the continuation and expansion of a minority diabetes management program.	150,000
Glaucoma Caucus Foundation	450,000
Jersey City Family Health Center in Jersey City, New Jersey for a demonstration project to improve chronic disease prevention	100,000
National Hispanic Medical Association in Washington, D.C. for a program of research, education, training and information dissemination focused on health issues and barriers to care facing Hispanic populations	400,000
Northern Virginia Hospice, Fairfax, Virginia, to provide bereavement services and increased outreach to children and adults in low-income and non-English speaking communities	800,000
Saint Thomas Hospital in Nashville, Tennessee to expand service in disadvantaged areas for rapidly growing health care needs	250,000
San Francisco Department of Public Health in San Francisco, California to enhance its system of HIV care and related services for persons of color and women	750,000
Sisters Network in Houston, Texas, for an educational and outreach program on breast cancer targeted to African-American women	150,000
South End Community Health Center, Boston, Massachusetts, to expand mobile health care services to low-income minority populations in Boston.	150,000
South Texas Community College in McAllen, Texas for the Milagros Center of Excellence in Migrant Health	500,000
Springfield Regional Outpatient Cancer Center for cancer screening program	200,000
Strelitz Diabetes Institute at Eastern Virginia Medical School in Norfolk, Virginia for research regarding prevalence of diabetes in minority populatons, early detection and intervention mechanisms, and barriers to early diagnosis and care	150,000
The Maryland Center at Bowie State University in Bowie, Maryland, for a national program and resource center to address behavioral health and lifestyle education issues of African American and Latino seniors	150,000
University of Medicine and Dentistry of New Jersey in New Brunswick, New Jersey for its Institute for the Elimination of Health Disparities	430,000
University of South Carolina, Arnold School of Public Health in Columbia, South Carolina for development and implementation of an Institute for African American Faculty Development in Public Health	350,000
University of Texas Disease Management Center, San Antonio, Texas, for clinical research to evaluate systems of disease management with a diverse population	2,800,000
University of Texas Health Science Center at San Antonio for a Hispanic Nutrition Research and Education program	100,000
University of Texas Southwestern Medical Center (in cooperation with UT Dallas) for a program to recruit minority students into the field of sickle cell disease research (including outreach, mentoring, and/or scholarships and fellowships)	150,000
Wholistic Family Agape Ministries Institute in Alexandria, Virginia for HIV/AIDS prevention and education and teen pregnancy prevention services	138,000
Esther's Pantry, Portland, Oregon, for services and education for HIV positive Individuals	45,000

The agreement provides $28,845,000 for the office of women's health instead of $28,795,000 as proposed by the Senate and $26,761,000 as proposed by H.R. 246. The conferees include the amount for the following project in fiscal year 2003 listed below.

Oregon Health Sciences University Center on Women's Health to improve women's healthcare	$50,000

The conferees provide $50,000,000 for the minority HIV/AIDS Initiative, as proposed by both H.R. 246 and the Senate.

The conferees are concerned about the adequacy of the supply and production capacity for the anthrax vaccine currently available in the U.S. to protect civilian populations from the demonstrated threat of anthrax. The Secretary of the Department of Health and Human Services is encouraged to consult with other appropriate Federal and State agencies and non-governmental organizations representing workers with a higher risk of exposure to anthrax and provide an assessment of the immediate potential combined national biodefense and short-term preparedness need for anthrax vaccine. The assessment should encompass the need for: immunizing civilian laboratory workers, first responders and other at risk populations of exposure to anthrax; providing sufficient vaccine stockpiles for assuring public health preparedness to respond to anthrax attacks; and providing additional production capacity as a safeguard against an event which could result in a halt in current vaccine production. The Secretary is further requested to submit a report to the House and Senate Appropriations Committees within 60 days after enactment of this bill, which includes the assessment of the combined potential need and options for assuring both a multiple-year vaccine supply and expansion of licensed vaccine production.

The conferees encourage the Secretary to establish a Federal Working Group on Lupus to be comprised of representatives from all relevant HHS agencies and other Federal departments having an interest in lupus. The Working Group should meet periodically for the purpose of exchanging information and coordinating Federal efforts regarding lupus research and education initiatives.

The conferees are concerned about the lack of mechanisms to insure and deliver psychosocial care to patients with cancer. Reports by the Institute of Medicine show that appropriate psychosocial care is an important contributor to quality of cancer care, but such care is not routinely available or consistently reimbursed. The conferees urge the Secretary, through relevant agencies such as NIMH, SAMHSA and AHRQ, to study the delivery of psychosocial services to cancer patients and report on the services available, who has access to them, who uses them, how they are reimbursed, and the effectiveness of specific interventions.

The conferees encourage the Secretary in conjunction with the CDC and the relevant NIH institutes to assess the benefits of a system providing nationwide access for physicians to a multi-media Internet site with webcast and media response capability. This type of system would allow the nation's primary care providers to receive Federal news and alerts.

The conferees request a report from the Department regarding its implementation of the revised guidance from the Department of Justice on limited English proficiency. This report should address the purpose and objectives of this policy, as well as any funding for services provided to implement the guidance, including publications, web site construction costs, and language line contracts.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $37,300,000 for the Office of Inspector General as proposed by H.R. 246 instead of $39,747,000 as proposed by the Senate.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

The conference agreement includes language proposed by the Senate directing that health care benefits of retired Commissioned Corps officers be paid from this account rather than the accounts from the Public Health Service to which they were assigned. H.R. 246 did not include a similar provision.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

The conference agreement includes $2,246,680,000 for the Public Health and Social Services Emergency Fund (PHSSEF) to enhance Federal, State, and local preparedness to counter potential biological, disease, chemical, and radiological threats to civilian populations, instead of $2,255,980,000 as proposed by the Senate. H.R. 246 included $2,507,184,000 for the PHSSEF.

The agreement also includes bill language included in H.R. 246 to allow the Secretary

to transfer amounts specified in the account between categories subject to normal reprogramming procedures. The Senate bill contained no similar provision.

The conference agreement modifies the placement of bill language proposed by the Senate exempting from any personnel ceiling applicable to the Agency, Service, or the Department of Health and Human Services both civilians and Commissioned Officers detailed to States, municipalities or other organizations under authority of Section 214 of the Public Health Service Act for purposes related to homeland security during their period detail or assignment. The agreement places the bill language within this account, instead of within the account for the Centers for Disease Control and Prevention as proposed by the Senate.

Within the amount provided: $1,543,440,000 is for the Centers for Disease Control and Prevention; $546,000,000 is for the Health Resources and Services Administration; $152,240,000 is for the Office of the Secretary; and $5,000,000 is for the Agency for Healthcare Research and Quality.

The conferees note that funds requested within this account for the Substance Abuse and Mental Health Services Administration, Poison Control, and Emergency Medical Services for Children have been provided within the accounts of their respective agencies. This brings the comparable total for the Public Health and Social Services Emergency Fund to $2,298,680,000.

Within the amounts available to the Centers for Disease Control and Prevention (CDC): $940,000,000 is for State and Local Preparedness, $143,700,000 is for Upgrading CDC Capacity; $300,000,000 is for the National Pharmaceutical Stockpile; $100,000,000 is for Smallpox Vaccine, $20,000,000 is for security; $18,040,000 is for the third year of a collaborative research program on anthrax vaccine; $10,700,000 is for Planning for Preparedness Response; $4,000,000 is for Deterrence; and $2,000,000 is to continue to discover, develop, and transition anti-infective agents to combat emerging diseases. The conference agreement also includes an increase of $5,000,000 for Public Health Preparedness Centers as proposed by the Senate.

The conferees understand that any countermeasures recommended by the Federal government pursuant to the Homeland Security Act (including, but not limited to vaccines) would be made available to civilians on a voluntary basis. Nothing in the Homeland Security Act would allow the Federal government to mandate the administration of a covered countermeasure to civilians.

The conferees concur with language in the Senate explanatory statement urging the Director to move expeditiously to analyze CDC's communication mechanisms and develop a comprehensive plan to ensure the fast, accurate, and accessible flow of information to the relevant health and public safety professionals and to the public. The conferees request that the Director report to the Committees on Appropriations within 6 months of enactment of this Act regarding the specific plan of action resulting from this review.

The conferees understand that the CDC plans to study both the health effects of anthrax exposure and of measures taken to treat or prevent anthrax infection. The conferees request the CDC report to the Committees within 90 days on its plan for these studies.

Within the funds available to the Health Resources and Services Administration (HRSA) is $518,000,000 for Hospital Preparedness and $28,000,000 to provide educational incentives for medical school curriculum. The conferees encourage HRSA to consider requiring that a statewide assessment of emergency medical services preparedness needs in the event of a public health emergency and a plan to address those needs be part of the State application for hospital preparedness funds.

The agreement includes $2,000,000 within funds provided to the Office of Public Health and Science for activities related to the transformation and modernization of the Public Health Service Commissioned Corps.

The conferees encourage the Department of Health and Human Services to give priority to the study of plants as vehicles for the production of vaccines.

The conferees request the Department to submit a report to the Committees on Appropriations within 45 days of enactment of this Act detailing the amounts of fiscal year 2002 State and Local Preparedness funds that:

(a) Each State spent, or plans to spend, to directly benefit or improve local public health capacity; and

(b) The amount each State has directly granted to local public health agencies.

GENERAL PROVISIONS

SECRETARY'S RECEPTION EXPENSES

The conference agreement includes a provision increasing the limit on the Secretary's entertainment expenses to $50,000 from $37,000 as proposed by the Senate. H.R. 246 included a provision retaining this limit at $37,000.

EVALUATION TAP

The conference agreement includes a provision to allow for a 2.1 percent evaluation tap pursuant to section 241 of the Public Health Service Act . This tap is to be applied to programs authorized under the Public Service Act. H.R. 246 and the Senate bill contained a provision to allow for a 1.25 percent evaluation tap. The Senate bill proposed allowing a tap of funds authorized under the Public Health Service Act and other acts. H.R. 246 proposed allowing a tap of funds on funds authorized under the PHS Act.

TRANSFER AUTHORITY

The conference agreement includes language permitting the Secretary of HHS to transfer up to one percent of discretionary funds between appropriations, with up to an additional 2 percent subject to approval of the Appropriations Committees. The traditional language is retained that permits the transfer of funds appropriated for HHS in this Act and any other acts as proposed by H.R. 246. The Senate bill proposed the transfer of funds appropriated only under this Act.

REFUGEE STATUS OF CERTAIN PERSECUTED GROUPS

The conference agreement includes a provision proposed by the Senate to extend the refugee status for persecuted religious groups. H.R. 246 contained no similar provision.

GLOBAL HIV/AIDS TRANSFER FUND

The conference agreement does not include a general provision proposed by H.R. 246 to transfer $100,000,000 from the National Institutes of Health as allocated by the Director of NIH to International Assistance Programs, ''Global Fund to Fight HIV/AIDS, Malaria, and Tuberculosis''. The conference agreement provides for this transfer within the National Institute of Allergy and Infectious Disease as proposed by the Senate.

CENTERS FOR DISEASE CONTROL AND PREVENTION INTERNATIONAL ACTIVITIES

The general provision included in both H.R. 246 and the Senate bill relating to authorities to carry out international health activities is amended to clarify the relationship between the Department of Health and Human Services and the Department of State in supporting employees and providing secure facilities overseas.

OLDER AMERICANS NUTRITION PROGRAMS

The conference agreement includes a provision proposed by the Senate to amend the Older Americans Act and transfer the Nutrition Services Incentives Program from its current location in the U.S. Department of Agriculture to the Administration on Aging within the U.S. Department of Health and Human Services. The language also maintains access to commodities within USDA. H.R. 246 contained no similar provision.

PARKINSON'S DISEASE RESEARCH CENTERS

The conference agreement includes language proposed by the Senate overriding the Public Health Service Act limit on the number of Parkinson's disease research centers that may be supported by the National Institutes of Health. H.R. 246 contained no similar provision.

LOW INCOME HOME ENERGY ASSISTANCE PROGRAM

The conference agreement includes a provision that transfers $100,000,000 in LIHEAP emergency funds to the regular formula program. The Senate bill included a transfer of $300,000,000 in LIHEAP emergency funds to the regular formula program. H.R. 246 contained no similar provision. Between passage of the Senate bill and conference, the Department of Health and Human Services released $200,000,000 in LIHEAP emergency funds; this conference agreement includes a transfer of the full $100,000,000 remaining in the emergency account to the regular formula program. It is the intent of the conferees that these funds, in addition to the $1,700,000,000 in new budget authority provided in this Act, shall be allocated under the regular state grant formula, providing a program level of $1,800,000,000 for the fiscal year 2003.

NURSE REINVESTMENT ACT FUNDING

The conference agreement does not include a general provision proposed by the Senate providing an additional $20,000,000 for activities authorized under the Nurse Reinvestment Act. The conference agreement instead incorporates this funding into the regular appropriation provided for the Health Resources and Services Administration. H.R. 246 contained no similar provision.

GRANTS FOR THE PURCHASE OF ULTRASOUND EQUIPMENT

The conference agreement does not include a general provision proposed by the Senate authorizing a new HHS grants program to purchase ultrasound equipment. H.R. 246 contained no similar provision.

HEAD START

The conference agreement includes a provision proposed by the Senate to exempt the Head Start program from the across-the-board reduction. H.R. 246 contained no similar provision.

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION FOR THE DISADVANTAGED

The conference agreement includes $13,853,400,000 for Education for the Disadvantaged instead of $12,936,900,000 as proposed by H.R. 246 and $18,178,400,000 as proposed by the Senate. The agreement includes advance funding for this account of $9,027,301,000 instead of $6,883,301,000 as proposed by H.R. 246 and $8,627,301,000 as proposed by the Senate.

Title I: Grants to LEAs

For Grants to Local Educational Agencies (LEAs) the agreement provides $11,750,000,000 instead of $10,850,000,000 as proposed by H.R. 246 and $16,350,000,000 as proposed by the Senate. The conference agreement includes

$7,172,971,000 for basic grants and $1,365,031,000 for concentration grants. The agreement also includes $1,670,239,000 for targeted grants, and $1,541,759,000 for education finance incentive grants. Concentration grants, targeted grants, and incentive grants are all provided on an advance-funded basis.

H.R. 246 proposed $7,172,971,000 for basic grants, $1,365,031,000 for concentration grants, $1,518,499,000 for targeted grants and $793,499,000 for education finance incentive grants. The Senate bill proposed $7,172,971,000 for basic grants, $1,365,031,000 for concentration grants, $1,405,999,000 for targeted grants, and $1,405,999,000 for education finance incentive grants.

Even Start and Literacy

The conference agreement includes $250,000,000 for the Even Start program as proposed by H.R. 246 instead of $200,000,000 as proposed by the Senate.

The conference agreement also includes $12,500,000 for Literacy through School Libraries as proposed by H.R. 246 instead of $15,000,000 as proposed by the Senate.

Migrant and Neglected & Delinquent Education

The conference agreement includes $398,000,000 for the migrant education program instead of $396,000,000 as proposed by H.R. 246 and $400,000,000 as proposed by the Senate. The agreement also includes $49,000,000 for neglected and delinquent youth instead of $48,000,000 as proposed by H.R. 246 and $50,000,000 as proposed by the Senate.

Comprehensive School Reform

The conference agreement includes $235,000,000 for comprehensive school reform (CSR) authorized under part F of the No Child Left Behind Act as proposed by H.R. 246. The Senate bill did not include funds for this activity.

The conferees urge the Department to work vigorously with the States to ensure that States award CSR funds for those comprehensive school reform models that have the strongest evidence of positive effects on student achievement. In addition, the conferees encourage the Department to clarify in its guidance to States that middle and high schools, as well as elementary schools, are eligible to receive CSR grants.

The conferees are concerned about the Department's delay in the release of fiscal year 2002 funds—appropriated more than a year ago—that are reserved for quality initiatives under the comprehensive school reform program, as authorized under section 1608 of the Elementary and Secondary Education Act. The conferees strongly urge the Department to expeditiously make these funds available for these important quality initiatives. These activities will expand the availability of independent, credible, and timely information to schools, districts and other consumers on the effectiveness and quality of selected comprehensive school reforms. Further, these activities will enhance the ability of providers of CSR models to deliver services at a national scale (by providing innovative financial support to improve educational services, solid business planning, and other technical assistance). In addition, the conferees expect the Department to utilize the entire three percent set-aside authorized under section 1608 in fiscal year 2003, to continue funding these quality improvement activities, and to fund those organizations most suited to carry out these activities. The conferees expect to be consulted prior to the release of these funds for fiscal year 2003.

Dropout Prevention, Advanced Placement Fees and Migrant Programs

The conference agreement includes $11,000,000 for dropout prevention programs, instead of $13,000,000 as proposed by the Senate. H.R. 246 did not provide funding for this program.

The conference agreement also includes $23,500,000 for advanced placement fees instead of $22,000,000 as proposed by H.R. 246 and $25,000,000 as proposed by the Senate. The conference agreement also includes $23,500,000 for high school equivalency program instead of $23,000,000 as proposed by H.R. 246 and $24,000,000 as proposed by the Senate and $15,500,000 for college assistance migrant program instead of $15,000,000 as proposed by H.R. 246 and $16,000,000 as proposed by the Senate.

IMPACT AID

The conference agreement includes $1,196,000,000 for the Impact Aid programs instead of $1,185,000,000 as proposed by H.R. 246 and $1,176,500,000 as proposed by the Senate. Within this amount, $1,032,000,000 is provided for basic support payments instead of $1,022,000,000 as proposed by H.R. 246 and $1,012,500,000 as proposed by the Senate; $51,000,000 is provided for payments for children with disabilities instead of $50,000,000 as proposed by H.R. 246 and $52,000,000 as proposed by the Senate; $45,000,000 is provided for construction as proposed by H.R. 246 instead of $47,000,000 as proposed by the Senate; and $60,000,000 is provided for payments for federal property as proposed by H.R. 246 instead of $57,000,000 as proposed by the Senate.

SCHOOL IMPROVEMENT PROGRAMS

The conference agreement includes $8,052,957,000 for School Improvement Programs instead of $7,347,584,000 as proposed by H.R. 246 and $7,788,329,000 as proposed by the Senate. The agreement provides $6,287,957,000 in fiscal year 2003 and $1,765,000,000 in fiscal year 2004 funding for this account.

Improving Teacher Quality

The conference agreement includes $2,950,000,000 for State grants for improving teacher quality as proposed by H.R. 246 instead of $2,850,000,000 as proposed by the Senate. Of this amount, $1,150,000,000 is provided as a fiscal year 2004 advance as proposed by the Senate instead of $1,650,000,000 as proposed by H.R. 246.

The conference agreement also includes $12,500,000 for school leadership activities instead of $10,000,000 as proposed by H.R. 246 and $15,000,000 as proposed by the Senate. The agreement also includes $15,000,000 for the early childhood educator professional development grants program, as proposed by the Senate. H.R. 246 did not include funding for this activity.

The conference agreement also includes $101,000,000 for math and science partnerships, instead of $100,000,000 as proposed by H.R. 246 and $25,000,000 as proposed by the Senate. The conference agreement includes $29,000,000 for the Troops-to-Teachers program instead of $30,000,000 as proposed by H.R. 246 and $20,000,000 as proposed by the Senate. The agreement also includes $42,000,000 for Transition to Teaching instead of $47,000,000 as proposed by H.R. 246 and $35,000,000 as proposed by the Senate.

The agreement also includes $23,000,000 for the Ready to Learn program instead of $22,000,000 as proposed by H.R. 246 and $24,000,000 as proposed by the Senate, and $62,500,000 for teacher training in technology as proposed by the Senate, H.R. 246 did not include funding for this activity.

Safe and Drug Free Schools

The conference agreement includes $628,213,000 for the Safe and Drug Free Schools and Communities Act instead of $644,250,000 as proposed by both H.R. 246 and the Senate.

Included within this amount is $472,017,000 for State grants as proposed by H.R. 246 instead of $482,017,000 as proposed by the Senate.

The agreement also includes $156,196,000 for national programs instead of $172,233,000 as proposed by H.R. 246 and $162,233,000 as proposed by the Senate.

The conferees include $30,000,000 within the amount for national programs for initiatives to improve school safety and security, as proposed in the fiscal year 2003 request. These funds should focus on strengthening school emergency response and crisis management plans; training school personnel, students and parents in emergency response procedures; and coordinating with local law enforcement, public safety, health and mental health agencies—continuing an initiative begun by Congress in fiscal year 2002. The agreement also includes $5,000,000 for Project SERV as proposed by the Senate instead of $10,000,000 as proposed in H.R. 246.

Modifications made to the Safe and Drug Free Schools Program in section 4114(a)(1) of the No Child Left Behind Act may have created dramatic changes in funding for some LEAs. The conferees understand that no data have been compiled to show the nationwide breakdown of these funding changes at the LEA level. Therefore, the conferees request that the Department gather this information and report back to Congress no later than May 1, 2004 with its findings.

Credit Enhancement for Charter Schools

The conference agreement includes $25,000,000 for credit enhancement for charter schools instead of $50,000,000 as proposed by H.R. 246. The Senate bill did not include funding for this activity.

Public School Choice

The conference agreement includes $26,000,000 to support voluntary public school choice programs instead of $25,000,000 as proposed by H.R. 246 and $27,584,000 as proposed by the Senate.

Education for Homeless Children and Youth

The conference agreement includes $55,000,000 for Education for Homeless Children and Youth as proposed by H.R. 246 instead of $54,000,000 as proposed by the Senate.

Education of Native Hawaiians

The conference agreement includes $31,000,000 for the Education of Native Hawaiians instead of $32,500,000 as proposed by the Senate and $18,300,000 as proposed by H.R. 246. The agreement also includes language to allow funds under this program to be used for construction, renovation and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body. Neither H.R. 246 nor the Senate bill contained this provision. The conferees urge the Department to provide $500,000 for school construction/renovation and at least $500,000 for early childhood education.

Alaska Native Educational Equity

The conference agreement includes $31,000,000 for the Alaska Native Educational Equity program instead of $32,500,000 as proposed by the Senate and $14,200,000 as proposed by H.R. 246. The agreement also includes language to allow funds under this program to be used for construction. Neither H.R. 246 nor the Senate bill contained this provision.

Rural Education

The conference agreement includes $168,750,000 for rural education programs, instead of $162,500,000 as proposed by H.R. 246 and $175,000,000 as proposed by the Senate.

Fund for the Improvement of Education (FIE)

The conference agreement includes $814,660,000 for the Fund for the Improvement of Education.

Within the total for FIE, the conference agreement includes funding for the following activities in the following amounts:

Character Education	$25,000,000
Reading is Fundamental	$25,500,000
School Counseling	$32,500,000
Javits Gifted and Talented Education	$11,250,000
Star Schools	$27,520,000
Ready to Teach	$14,500,000
Foreign Language Assistance	$16,250,000
Carol M. White Physical Education for Progress	$60,000,000
Community Based Technology Centers	$32,475,000
Exchanges with Historic Whaling and Trading Partners	$7,000,000
Parental Assistance Information Centers	$42,500,000
Women's Educational Equity	$3,000,000

The conference agreement includes $75,000,000 for comprehensive school reform grants to local educational agencies as proposed by H.R. 246. The Senate bill did not include funding for this activity. These funds shall support grants to States for continuing and new subgrants to local educational agencies for comprehensive school reform activities in both title 1 and non-title 1 eligible schools. The bill includes language specifying that these funds shall be allocated and expended in the same manner as in fiscal year 2002 and provides the funds on a forward funding basis.

The conference agreement also includes $1,639,000 for continuation funding for the national clearinghouse on comprehensive school reform.

The conference agreement also includes $162,000,000 for the smaller learning communities program, instead of $142,000,000 as proposed by H.R. 246. The Senate did not include funding for this program. As in past years, the conference agreement provides the funds on a forward funded basis and specifies that these funds shall be used only for activities related to the redesign of large high schools enrolling 1,000 or more students.

The conferees are concerned that the Department did not consult with the Appropriations Committees on the fiscal year 2002 program guidance and application for the smaller learning communities program as requested in House Report 107–229. The conferees do not agree with the competitive preference for certain grant applicants proposed by the Department for the fiscal year 2002 competition and direct the Secretary to revise the grant application to remove this preference. The conferees believe that applicants for assistance under this program should be evaluated solely on the quality of their proposals to improve the learning environment for students within their current educational setting. The program guidance should also clarify that smaller learning community funds may be used to support the initial planning for, and operation of, new small schools as well as the redesign of existing schools into smaller learning units.

The conferees are also concerned about the Department's inability to hold timely grant competitions for this program in fiscal years 2001 and 2002. The fiscal year 2001 grant competition was delayed, and the 2002 grant competition is far behind schedule. Accordingly, the conferees direct the Department to publish the smaller learning communities program application for fiscal year 2002 grants not later than February 28, 2003. If the Department is unable to meet this deadline, the conferees request a letter report from the Department to the House and Senate Committees on Appropriations by that date, which explains why the Department is unable to meet this deadline, indicates when the Department will announce the fiscal year 2002 competition, and outlines the steps the Department will take to prevent delays in the fiscal year 2003 smaller learning communities grant competition.

The conferees have a strong interest in this program and are displeased that the Department has not only failed to consult with the Appropriations Committees, but also has not responded to requests for basic information about how program funds will be utilized. The conferees expect that the Department will consult fully with the Appropriations Committees prior to the release of the fiscal year 2003 program guidance for the smaller learning communities program. Further, the Department should develop a balanced plan for outreach, networking, and technical assistance activities during fiscal year 2003 to ensure that school districts are aware that small schools and smaller learning communities are effective, research-based strategies to improve academic achievement, attendance, and safety. The Department should be prepared to discuss these matters during hearings on its fiscal year 2004 budget request.

For Arts in Education, the conference agreement includes $34,000,000 instead of $36,000,000 as proposed by the Senate. H.R. 246 did not specify separate funding for this line item. The conferees provide that within this total, $7,000,000 is for Very Special Arts, $6,000,000 is for the John F. Kennedy Center for the Performing Arts, and $1,500,000 is to be used to continue a youth violence prevention initiative. In addition, $4,000,000 is for cultural partnerships, $6,500,000 is for model professional development programs for music, drama, dance and visual arts educators and $500,000 is for evaluation activities. The remaining $8,500,000 is available to continue model arts programs. The conferees have made significant investments over the past couple of years in funding model arts programs, professional development activities and cultural partnerships for at risk youth. The conferees intend that the $500,000 provided for evaluation shall be used to begin reviewing and evaluating competitive grants funded through this program. The conferees further intend that information about best practices and model programs identified during this review and evaluation process should be disseminated widely, in order to maximize the significant benefits of these targeted investments.

The conference agreement includes $15,000,000 for teacher quality initiatives, as requested by the Administration. The conferees intend that these funds be awarded for initiatives such as the following: to identify research-based competencies that all new teachers should possess and to develop related, rigorous assessments; to infuse research-based reading instruction into preservice teacher preparation programs; to provide technical assistance to alternative route programs to ensure quality; to determine the adequacy and effectiveness of mentoring and professional development to teachers entering the profession via alternative route programs and to identify the retention rates of those teachers; and to identify issues relating to teacher mobility. The conferees share the Administration's interest in initiatives to improve teacher quality and request that the Department provide the House and Senate Committees on Appropriations with a detailed summary of the types of projects proposed to be supported prior to any funds being awarded.

Within the total for FIE, the following amounts are also provided:

Academy of Natural Sciences, Philadelphia, PA, for the development and delivery of natural sciences educational programming for children and the general public	$150,000
After the Bell Program in Soldotna, Alaska, for after school programs involving community, parents and at-risk youth	100,000
Alaska Department of Education for its ''Parents as Teachers'' program	1,250,000
Alaska Department of Education for its ''Qualified Teachers for Alaska'' program	1,500,000
Alaska Department of Education with the Alaska SeaLife Center, the Kenai Challenger Learning Center, the Kenai River Center, in consultation with federal and state scientists, and federal resource management agencies, for a science and distance education	250,000
Alaska Department of Education's Remedial Summer Tutoring Program	700,000
Alaska Humanities Forum to develop Alaska State history texts and curriculum, including oral history, for use in Alaska schools.	400,000
Allegheny Conference on Community Development, Pittsburgh, PA, in collaboration with the War for Empire Consortium, for education programs and activities to commemorate the 250th anniversary of the French and Indian War	50,000
Allentown Civic Theater, PA, for education programs	200,000
Alliance Neighborhood Center, Alliance, Ohio, for program/curriculum for the Apple Seed Project	250,000
American Academy of Liberal Education, Washington, D.C., to develop projects and survey best practices in the study of American democracy and principals of free government at colleges and universities	100,000
American Cities Foundation, Philadelphia, PA, for mentoring, academic, enrichment, and counseling programs for at-risk students	250,000
American Film Institute Screen Education Center and Initiative for arts education curriculum development and teacher training	500,000
American Foundation for Negro Affairs (AFNA) National Education and Research Fund, Philadelphia, PA, to raise the achievement levels of minority students and increase minority access to higher education	650,000

American Red Cross, Southeastern Pennsylvania Chapter, Philadelphia, PA, for education programs	25,000
American Society of Educators, Philadelphia, PA, for instructional technologies, professional development seminars and to develop and distribute technological guides for educators	50,000
American Theater Arts for Youth Program, Philadelphia, Pennsylvania, to continue to provide workshop residencies	75,000
AMISTAD America, Inc., to expand educational programs and materials	800,000
An Achievable Dream, Newport News, Virginia, to expand its curriculum and college preparation program	500,000
Anchorage Museum of History and Art and Alaska Humanities Forum to develop curriculum on Alaskan culture and art for Alaska schools	250,000
Anderson School District in Anderson, Alaska, for a program to provide distance learning and related materials to small schools in rural Alaska meet the requirements of No Child Left Behind Act	100,000
Antigo School District, WI, for after school programs	300,000
Appomattox Regional Governor's School for the Arts and Technology, Petersburg, Virginia, for equipment and technology infrastructure	500,000
Arden Theatre, Co., Philadelphia PA, to expand the Arden for All program, to make the arts accessible to economically challenged schools, as well as performances interpreted in American Sign Language	25,000
Artspace Projects, Inc., Minneapolis, MN, to expand arts education programming for youth, including technology upgrades for distance learning	200,000
Ashland School District, WI, for after school programs	670,000
Association of Community Ministries, Louisville, Kentucky, for educational programs and community-based services	50,000
Audubon Nature Institute, Inc., New Orleans, Louisiana, after-school project	100,000
Baldwin Park Unified School District, Baldwin Park, CA, for the Baldwin Park Technology Achievement Academies	250,000
Benchmark School, PA, for reading instruction and other education programs	75,000
Berea Children's Home School-Age Skills Enhancement (SASE) Program, Berea, Ohio	162,000
Big Brothers/Big Sisters of Anchorage, Fairbanks, and Southeast Alaska, in partnership with Alaska Dept. of Education, the Boys and Girls Club and Cook Inlet Tribal Council to develop and implement a comprehensive mentoring program for at-risk children	400,000
Big Top Chautauqua, Washburn, WI, for educational programs	500,000
Birchwood School District, WI, for after school programs	240,000
Boricua College, Brooklyn, NY, for personnel, curricula, teacher trainees, and other expenses to expand technology training at local public school sites	100,000
Boston History Collaborative to expand history-based education programs in public schools	50,000
Boyle Heights College Institute, Los Angeles, CA, for after school and mentoring programs	225,000
Boys and Girls Club of Burbank, CA, for mentoring, career exploration and other educational services for at-risk youth through the Teen Center Outreach Project	80,000
Boys and Girls Club of Chester, PA, for mentoring, tutorial assistance and other education program	75,000
Boys and Girls Club of El Dorado, Arkansas, for drug prevention and after school programs	25,000
Boys and Girls Club of Philadelphia, Philadelphia, PA, to develop a school based mentoring program	50,000
Boys and Girls Harbor, Inc., New York, NY, to establish a Philadelphia School Financial Literacy Project to promote financial literacy through the teaching of personal financial management skills	25,000
Bronx Cluster of Settlement Houses, Inc., to provide literacy, mentoring, college preparatory, and other educational services for youth	300,000
Brooklawn, Inc., Louisville, Kentucky, for technology	30,000
Business Education Roundtable, Providence, RI, for a school principal professional development program	250,000
Cablelife Community Enrichment Corporation, Louisville, Kentucky, educational programs	40,000
Caldwell County Education Consortium, Hudson, North Carolina, for operating costs of Teacher Education project	300,000
Cameron County High School, Emporium, Pennsylvania, for technology infrastructure	100,000
Camp Fire USA First Texas Council, Fort Worth, Texas, for Early Childhood Violence Reduction program	150,000
Camp SEA Lab, Seaside, CA, for science education programs for youth and teacher training activities	200,000
Canaan Community Development Corporation, Louisville, Kentucky for after school programs	30,000
Capistrano Unified School District, San Juan Capistrano, California, for Capistrano Professional Academy to improve local mathematics and science instruction	400,000
Care Unlimited, New Orleans, LA, to provide in-home educational services to high school students who are pregnant or parents	100,000
Cayuga County Safe Schools/Healthy Students Partnerships, Inc., Auburn, New York, for staffing and after-school programs	175,000
Center for Houston's Future, Houston, Texas, for early education programs	250,000
Center for Mathematics and Science Teacher Recruitment, Retention in Missouri, to improve recruitment and retention of math and science teachers, including through the acquisition of technology	1,500,000
Center for Rural Development, Somerset, Kentucky, for technology and software equipment	250,000
Central Alabama Community College in Alexander City, Alabama, for technology acquisition in support of the Community Intensive Treatment for Youth program	100,000
Centre County AVTS, Pleasant Gap, Pennsylvania, for technology infrastructure	100,000
Chabot Space and Science Center, Oakland, CA, for math and science teacher training programs	500,000
Challenger Learning Center of Maine for science education program	750,000
Champions for Change, Flossmoor, IL, for early childhood education and before- and after-school programs	100,000
Charlotte-Mecklenburg School System, Charlotte, NC, to expand the ''Bright Beginnings'' after school program	400,000

Charter School Development Corporation in Las Vegas, Nevada, to focus on technology and college preparation 1,000,000
Chetek School District, WI, for after school programs 265,000
Chicago Public Schools for the Chicago Reading Initiative, a research-based instruction to improve reading achievement in urban areas 100,000
Chicago Public Schools, IL, for the ''Never Too Cool For After School'' and ''After School Matters'' initiatives 500,000
Chillocothe and Ross County 2003 Commission, Chillocothe, Ohio, for innovative education program to teach Ohio's history 210,000
Choteau Elementary School in Choteau, Montana, for the NetSchools e-learning program, including the acquisition of technology 600,000
City of Bogalusa School Board, Louisiana, for technology enhancements 25,000
City of Detroit, MI, for an after school program information management and evaluation initiative 600,000
City of Englewood, New Jersey Board of Education, for technology and other expenses to establish career academies at the Dwight Morrow High School 300,000
City of Salt Lake, Utah, for the YouthCity Empowerment after school center project 900,000
City of Santa Ana, CA, for technology training programs for youth at the Santa Ana Memorial Technology Center 250,000
City of Staunton, Virginia, for the expansion of cultural, historical, and arts education programs 200,000
City of Upland, California, for after school programs 1,500,000
City School District of New Rochelle, NY, for after school and summer school programs 294,000
Clarion County Career Center, Shippenville, Pennsylvania, for technology infrastructure 100,000
Clark County School District, Las Vegas, NV, to expand after school programs 500,000
Classika Theater in Arlington, Virginia, for continued development of the LITarts educational outreach program 100,000
Clearfield County Career and Technology Center, Clearfield, Pennsylvania, for technology infrastructure 100,000
Cleveland Botanical Garden, Cleveland, Ohio, for education outreach to schools 250,000
COA Youth and Family Centers in Milwaukee, Wisconsin, for a home instruction program for pre-school children to foster health, educational success and independence 200,000
Columbia Bethlehem Community Center, Richland County, Columbia, SC, for after school, mentoring, youth internship, and literacy programs 200,000
Commonwealth of Puerto Rico, Department of Education, for an afterschool art and counseling program 800,000
Communities in Schools Dallas, Inc., TX, to expand educational programs serving at-risk students 100,000
Communities in Schools of East Texas, Inc., Marshall, TX, for educational services for at-risk students 250,000
Communities in Schools of Northeast Texas, Inc., Mount Pleasant, TX, for educational services for at-risk students 250,000
Communities in Schools of Northern Virginia, Inc., Alexandria, VA, to expand family literacy, after school and other educational services for at-risk students and their parents 265,000
Communities In Schools—Cameron County, Inc., Harlingen TX, for educational services for at-risk youth 150,000
Communities in Schools—Greater Fort Hood Area, Killeen, TX, for academic and support services for at-risk students and their families 250,000
Community Action and Community Development Agency for North Alabama, Decatur, Alabama, for technology upgrades 300,000
Community Foundation of Greater Birmingham, Birmingham, AL, to expand cultural and educational programs to inner city youth 200,000
Community Foundation of Louisville, Kentucky, for Lac Viet reading programs 50,000
Community of Agile Partners in Education/Pennsylvania Educational Telecommunications Exchange Network (CAPE/PETE), Bethlehem, PA, for distance learning programs 600,000
Community of Caring in Washington, D.C., for program development and expansion of its comprehensive character education program in Nevada 200,000
Community School District 8, Flushing, NY, for after school programs 250,000
Connecticut International Baccalaureate Academy, East Hartford, CT, for technology equipment, training and upgrades, and for the establishment of a Chinese studies program 900,000
Connecticut United for Research Excellence, Inc., Rocky Hill, CT, for the ''BioBus'' mobile educational laboratory 400,000
Continuation and expansion of the Iowa Communications Network statewide fiber optic demonstration 2,000,000
Council of Chief State School Officers, Washington, D.C., for Business/Education Leaders Institute 3,000,000
Cumberland Public Schools, Cumberland, RI, for equipment, curriculum and professional development to establish an after school program for high school students 350,000
Dallas Independent School District, TX, to expand the Star Teacher Selection Training Program ... 300,000
Dallas Institute, Dallas, Texas for a teacher retention program 250,000
Delta State University in Mississippi for the Delta Education Initiative 1,000,000
Discovery Center of Science and Technology, Bethlehem, PA, for hands-on, inquiry-based science programs for K–8 students in Berks, Bucks, Carbon, Luzerne, Monroe, Montgomery, Pike, and Schuylkill counties 50,000
Drug Free Pennsylvania, Inc., Harrisburg, PA, to enhance its media literacy project to provide at-risk students an opportunity to create public service announcements targeting the prevention of drug use 50,000
DuBois Educational Foundation, DuBois, Pennsylvania, for computers and computer wiring, equipment 150,000
Dyer Elementary School in Esmeralda County School District in Nevada for a One-on-one Laptop Computer Program. 112,000
d'Zert Club, Glenside, PA, for educational and support services for elementary, middle and high school students 50,000
East Stroudsburg University of Pennsylvania, PA, for a distance learning program to serve homebound students, and a web-based educational management system 500,000
Education Leaders Council, Washington, D.C., for Following the Leaders project 10,000,000

Educational Service District 101, Spokane, Washington, to develop curriculum, deliver televised K–12 coursework, hire teachers and acquire satellite transponder time .. 500,000

Educational Service District 112, Vancouver, WA, to expand the Help One Student to Succeed (HOSTS) reading and mentoring program 167,000

Encore Series, Inc., Philadelphia, PA, for the Jazz in the Schools music education program to engage inner city high school students in programs using jazz as a means to maintain student interest 100,000

Enterprise for Progress in the Community in Yakima, Washington for a new community child developmental center 150,000

Ephraim McDowell Health Care Foundation, Danville, Kentucky, for its Medical Career Educational Initiative 100,000

Fairfax County Public School System, VA, for the heritage language literacy after school program at Bailey's Elementary School for the Arts and Sciences 100,000

Fairfax County Public Schools, Fairfax, Virginia, for a delinquency prevention program for students with behavioral and emotional needs 200,000

Fairfax County Public Schools, Fairfax, Virginia, for Fairfax Network project 200,000

Fairfax County Public Schools, Fairfax, Virginia, for Speech Recognition for Students with Disabilities 50,000

Fairfax Education Foundation, Fairfax, Virginia, for Partnerships to Advance Learning 200,000

Father Maloney's Boys Haven, Louisville, Kentucky, for technology 40,000

Fay-Penn Economic Development Council, Uniontown, PA, to develop the Reaching Educational Achievement with Community Help initiative 150,000

Felician Sisters, PA, for education programs 125,000

First Book in Washington, D.C., to establish local advisory boards across Washington state 500,000

First Book Rural Outreach Initiative, Ohio 405,000

First Freedom Education Center in Richmond, Virginia, for educational programs 400,000

First Gethsemane Center for Family Development, Inc., Louisville, Kentucky, for after school programs 25,000

Florida State University, Tallahassee, Florida, for Florida Reading, Math and Science Initiative 1,500,000

For Us Northwest, Portland, Oregon for a mentoring program for children affected by HIV/AIDS 25,000

Foundation for the Improvement of Mathematics and Science Education, San Diego, California, to implement the Blueprint for Student Success program 950,000

Franklin School District in Franklin, New Hampshire for a summer school initiative 50,000

Freedoms Foundation at Valley Forge, Valley Forge, PA, to develop and implement the ''Terrorism: Challenges and Threats to the American Way of Life'' workshop ... 50,000

Friends of McGroarty Cultural Arts Center, Tujunga, CA, for after school arts education programs for low-income students 65,000

Futures for Children, Albuquerque, New Mexico to expand education services for Native Americans 1,000,000

Galena School District in Alaska for distance education program 1,000,000

Galilee Community Development Corporation, Louisville, Kentucky, for after school programs 15,000

Gateway Cities Partnership, Inc., City of Paramount, CA, to establish community resource learning centers 200,000

General George S. Patton School District 133, Riverdale, IL, to implement a comprehensive mathematics program 150,000

George Mason University, Fairfax, Virginia, for Center for Cognitive Development to address families of children suffering from attentional, cognitive, and behavioral disorders 200,000

Georgetown University, Washington, DC, for the Center for the Study of Learning dyslexia project, in partnership with the University of Louisville 350,000

Girl Scouts—Pacific Peaks Council of Tumwater, Washington for a resource center 100,000

Golden Gate National Parks Association, San Francisco, CA, for environmental education programs at the Crissy Field Center 200,000

GRAMMY Foundation, Santa Monica, CA, for music and arts education programs 800,000

Great Neck Center for the Visual and Performing Arts, Inc., Great Neck, NY, for an arts education program for disadvantaged children 25,000

Great Projects Film Company, Inc., New York, NY, to produce ''Educating America,'' a documentary television series and multi-media project about challenges facing public schools 50,000

Griffith Observatory in Los Angeles to improve educational programs and exhibits on the solar universe 150,000

Growing Solutions Restoration Education Institute, Santa Barbara, CA, for establishment of a Green Academy at Santa Barbara High School 120,000

Guadalupe Center for Early Childhood Education in Missouri to expand quality early education programs 500,000

Hands On Science for a demonstration in Iowa ... 400,000

Harford County Board of Education in Aberdeen, MD for a collaboration between a science and technology high school and the Aberdeen Proving Ground. 200,000

Harrods Creek Community Development, Inc., Louisville, Kentucky, educational programs for inner city children and teens 15,000

Harry T. Kerr Skills Center, Titusville, Pennsylvania, for updating and modernization of equipment to meet training needs 150,000

Hattie Idela Farrow Foundation in Providence, RI for educational programs designed to decrease suspensions and referrals to juvenile justice 50,000

Hazel Crest School District 152.5, Hazel Crest, IL, for teachers and equipment to improve health and physical education programs 100,000

Hebrew Academy for Special Children, New York 50,000

Helen Keller Worldwide, NY, to expand the ChildSight Vision Screening Program and provide eyeglasses to additional children whose educational performance may be hindered because of poor vision 1,500,000

Henderson Allied Community Advocates in Henderson, NV to provide quality early childhood education and after school programs to low-income families. 500,000

Henry and William Evans Home for Children, Inc., Winchester, Virginia, for children who are in need of assistance in preparation for becoming productive adults 200,000

HighTechHigh—Los Angeles, Beverly Hills, CA, for equipment, technology upgrades, and training ... 450,000

Hillel Academy of Pittsburgh, Pittsburgh, PA, to enhance preschool students' learning readiness skills through the use of PicturePages Evaluation engine 50,000

Home Instruction Program for Preschool Youth (HIPPY), New York, NY, to expand its home-based literacy and school readiness program 50,000

Hyannis Youth and Community Center, Barnstable, Massachusetts, for the development of youth educational programs and the procurement of educational equipment. 1,000,000

I CAN LEARN 3,000,000

I KNOW I CAN, Columbus, Ohio, for college access program 100,000

Illinois Mathematics and Science Academy, Aurora, Illinois, for the 21st Century Information Fluency Program 400,000

Illinois Office of Banks and Real Estate, Springfield, Illinois, for Financial Literacy program 50,000

Illinois State Board of Education and Indian Prairie District #204, Springfield, Illinois, to develop an innovative student teaching pilot program 250,000

Illinois State Board of Education and Orland School District #135 to Beginning Educators Assimilation and Mentoring System program 200,000

Illinois State Board of Education for Improving Mathematics Achievement at Elgin, Illinois #46 250,000

Illinois State Board of Education, ''Illinois Virtual High School'' 500,000

Illinois State Board of Education, Springfield, IL, for extended day and summer school programs at the Canton Union School District #66 175,000

Illinois State Board of Education, Springfield, IL, for teacher and principal recruitment and retention initiatives at Dolton School District 148 150,000

Illinois State Board of Education, Springfield, Illinois, for computers, hardware and software for the implementation of Fast ForWord reading program to the Pleasant Plains Community Unit District #8 and Pleasant Plain Illinois District #18 150,000

Illinois State Board of Education, Springfield, Illinois, to establish a Principal-Led Teams 187,000

Illinois State University in Normal, Illinois for the Chicago Teacher Pipeline Program 200,000

Illinois State University, Normal, Illinois, to provide special education technology devices, equipment and materials for Peoria District #150 .. 100,000

Imperial Valley Telecommunications Authority, CA for telecommunications equipment and upgrades to support distance education programs in elementary and middle schools 500,000

Indiana University of Pennsylvania, Indiana, PA, to establish a Computing Services Center to train area K–12 teachers in the effective use of technology in the classroom 50,000

Institute for Advanced Learning and Research, Chatham, Virginia, for faculty development, purchase of teaching and learning technology and launching of Learning Liftoff program 500,000

Institute for Educational Leadership, Washington, DC, for a Coalition for Community Schools project to facilitate the creation of community schools 500,000

Institute for International Sport at the University of Rhode Island to support the Scholar-Athlete Games 800,000

Institute for Student Achievement in Lake Success, NY to expand its intervention program that provides academic enrichment and counseling support for students performing in the lowest quartile in their middle or high schools. ... 750,000

Institute for Student Achievement, Lake Success, NY, for educational programs for at-risk students at Mt. Vernon High School and A.B. Davis Middle School 500,000

Institute for Student Achievement, Lake Success, NY, to implement small learning communities at Morris High School in the Bronx 200,000

INTEGRIS Health, Inc., for the Western Village Academy Technological Center 100,000

International Foundation for Music Research, Carlsbad, California, for science-based research on music education 225,000

Iowa Department of Education to continue the Iowa School Construction Demonstration Project 7,000,000

Iowa Dept of Education to continue a demonstration program for additional bilingual and English as a Second Language training in rapid growth areas of Iowa 1,000,000

Iowa School Board Association to continue the Lighthouse for School Reform training of school board members on education issues 500,000

Iron Mountain Public Schools, MI, for health and physical education curricula, programs and equipment 300,000

A grant to the Commonwealth of Pennsylvania Department of Education, to provide assistance, through subgrants, to low-performing school districts that are slated for potential take-over and/or on the Education Empowerment List as prescribed by Pennsylvania State Law. The initiative is intended to improve the management and operations of the school districts; assist with curriculum development; provide after-school, summer and weekend programs; offer teacher and principal professional development and promote the acquisition and effective use of instructional technology and equipment. Of the funds provided, $1,700,000 is for the Philadelphia School District/Lock Haven Professional Development Partnership for professional development and related services 20,000,000

Isaac Stern Education Legacy in New York, NY to integrate distance learning and educational technology with music education programs 4,150,000

Jackson County Community Theater, McKee, Kentucky, for equipment 100,000

Jackson-Madison School District, Jackson, TN, for an alternative learning center for at-risk youth 500,000

Jacob's Pillow in Lee, Massachusetts, for the expansion of performing arts educational programs 100,000

Jefferson County–DuBois AVTS, Reynoldsville, Pennsylvania, for technology infrastructure 150,000

Jefferson Parish School Board, Louisiana, for technology enhancements 55,000

Jewish Community Center of Cleveland, Cleveland Heights, Ohio, for Bright Beginning program 500,000

Joel II Restoration Ministries for education programs 50,000

Junction City School District, Oregon, for after-school programs 50,000

Juniata-Mifflin County AVTS, Lewistown, Pennsylvania, for technology infrastructure 225,000

JUSTUS, WECARE about our Community, Inc., Louisville, Kentucky, for after school programs 15,000

Kentucky Opry, Prestonsburg, Kentucky, for equipment and operating expenses 75,000

Kern County Superintendent of Schools Office, Bakersfield, California, for Mobility Opportunities via Education (MOVE) to develop curricula, its website, and the training and development 700,000

Kids Voting USA, Tempe, AZ, for a civics program to educate children about the importance of voting 380,000

Knowledge Works Intermediary, Cincinnati, Ohio, for Ohio High School Transformation Initiative 2,000,000

Korean Youth and Community Center, Los Angeles, CA, to expand education programs at the Koreatown Academic Learning Center 260,000

La Causa, Inc. in Milwaukee, Wisconsin for before, after, and during school services for largely minority communities 245,000

Labor and Industry for Education (LIFE), Hewlett, NY, to expand after school, vocational training, and other education programs for at-risk youth and developmentally disabled children and adults 450,000

Langston in the 21st Century, Washington, DC, to establish a learning center as part of the EXTRA Physical Education Progress initiative 300,000

Latino Education Alliance, Chicago, IL, for early intervention, college readiness and parental involvement programs for minority youth 350,000

Leadership Education Academy to Develop, Encourage, and Reinforce Success (L.E.A.D.E.R.S) Inc., Rochester Hills, Michigan 175,000

Letcher County Board of Education, Whitesburg, Kentucky, for equipment 350,000

Lights of Liberty, Inc., PA for history education program 300,000

Lincoln Center, New York, NY, for the Jazz for music education and distance learning programs 350,000

Linking Learning to Life in Burlington, VT for staff salaries and the development of a model school-to-career initiative for low-income and at-risk youth 75,000

Loess Hills Area Education Agency in Iowa for a demonstration in early childhood education 750,000

Los Angeles County Office of Education, Downey, CA, for the ''Early Advantage'' initiative to provide preschool and family learning activities, and training for parents, child care providers and community members 600,000

Los Angeles Harbor College, Wilmington, CA to expand early childhood education curricula, evaluation, and professional development 300,000

Lycoming County Division of Public Safety, Lycoming County, PA, to develop an emergency preparedness program to educate school personnel and law enforcement personnel 100,000

Madison Metropolitan School District, Madison, Wisconsin for Positive Behavior Support Teams who work with elementary and middle school students with emotional problems 150,000

Make the Road By Walking, Brooklyn, NY, for literacy, technology training and other educational services 500,000

Maricopa County Community College District, Phoenix, AZ to establish the Center for Teacher Preparation and Education to address the national teacher shortage through recruitment and retention of K–12 teachers 100,000

Marshfield Clinic, WI, for the ''Youthnet'' mentoring initiative 200,000

Marshfield School District, WI, for equipment for computer and music education laboratories at Madison Elementary School 60,000

Maui Economic Development Board for a girls into science program 300,000

Medina High School, Medina, Ohio, for a Career Resource Center 150,000

Memphis City School District, Memphis, TN, for a public-private partnership to raise academic achievement in low-performing schools 500,000

Mercer County Association for Children with Learning Disabilities, Inc., Sharon, PA, to provide tutoring and assist with curriculum design for children with learning disabilities 50,000

Meredith-Dunn Learning Disabilities Center, Inc., Louisville, Kentucky, for technology 25,000

Metropolitan Family Services, Chicago, Illinois, for Camp Algonquin's Outdoor Education program 500,000

Metropolitan Washington Council of Governments, DC, for the Potomac Regional Education Project (PREP) 100,000

Military Heritage Foundation, Carlisle, Pennsylvania, Army Heritage and Education Center to establish educational programs and materials 200,000

Millikin University in Decatur, Illinois to assist inner-city and rural high school students prepare for college 75,000

Milton S. Eisenhower Foundation to continue a demonstration on full-service schools in Iowa ... 500,000

Milton S. Eisenhower Foundation, Washington, D.C., for a demonstration and evaluation of full-service schools 250,000

Milton S. Eisenhower Foundation, Washington, DC, to replicate and expand the full community school program in Pennsylvania emphasizing the school as the central point of the community 300,000

Milwaukee Public Schools, WI, to expand before- and after-school programs 400,000

Mission Education Projects, Inc., San Francisco, CA, to expand educational programs for children and families 225,000

Missouri School Board Association, Columbia, Missouri, for Children Learn As Schools Succeed (CLASS) project 500,000

Monadnock Regional School District in New Hampshire for a community school initiative 100,000

Montgomery YMCA in Montgomery, Alabama for education and outreach programs 100,000

Muhlenberg Township School District, Laureldale, PA, for science and technology equipment and upgrades 738,000

My Hero Project, Branford, CT, to expand an interactive educational web site 50,000

Mystic Aquarium and the Institute for Exploration, Mystic, Connecticut, for the JASON project 500,000

National Center for Electronically Mediated Learning, Inc., Woodbridge, CT, for the PEBBLES Project 300,000

National Constitution Center for program development, including equipment and technology acquisition 5,000,000

National Council of La Raza, Washington, D.C., to develop assessment guidelines for limited English proficient students and to expand professional development academies 1,000,000

National Foundation for Teaching Entrepreneurship (NFTE), to establish a NFTE University, in collaboration with Carnegie Mellon University and Temple University, to train teachers in the best practices to educate minority and economically disadvantaged students 150,000

National History Day for a history competition in Iowa 100,000

National Maritime Heritage Foundation, Washington, DC, for the Spirit of Enterprize Maritime Heritage Education program 275,000

National Science Center Foundation, Atlanta, Georgia for educational technology and other purposes 1,000,000

Nevada HAND English Literacy Project to purchase ESL software and workstations to use in working with low-income children in Las Vegas, Nevada 450,000

New Baltimore City Board of School Commissioners, Baltimore, MD, for a comprehensive dropout prevention initiative 500,000

New Conservatory Theater Center, San Francisco, CA, for the YouthAware theatre-in-education drug abuse and violence prevention programs for youth 150,000

New Mexico Institute of Mining and Technology, Socorro, New Mexico, for the K–12 Outreach in Astronomy program 425,000

New Mexico Mathematics, Engineering and Science Achievement, Inc. (MESA) for pre-college math, science and technology enrichment programs 500,000

New School University, New York, NY, to establish a pilot program which will provide supplementary services, as well as university faculty instruction to at-risk, low-income senior high school students 250,000

New York Hall of Science, Corona Park, New York, to expand the ''After-School Science Clubs'' to elementary students 200,000

New York University, Child Study Center, NY, for the ''Parent Corps'' initiative 1,000,000

New Zion Baptist Church Community Development Foundation, Louisville, Kentucky, for after school programs 40,000

Nicholls State University for a Center for Dyslexia to research and address the difficulties associated with dyslexia 100,000

Nortel Networks Kidz Online, Herndon, Virginia, for education program to help kids become better equipped with technology skills 600,000

North Carolina Central University, Durham, NC, for an academic enrichment program for elementary and middle school students in the Durham Public Schools .. 75,000

North Carolina Electronics and Information Technologies Association Education Foundation, NC, for a technology demonstration project in rural and underserved school districts 250,000

North Carolina Museum of Art Foundation, Inc., Raleigh, NC, for arts and environmental education programs 100,000

North Dakota State Board for Vocational and Technical Education in Bismarck, North Dakota, for expansion of the ExplorNet and IT Technology Learning Project 200,000

North Penn Civic Association, Philadelphia, PA, for technology, after school and other educational programs for youth 50,000

North Rockland Central School District, Garnerville, NY, to implement a technology-based literacy program 200,000

Northshore School District, Bothell, WA, for the Northeast Vocational Area Cooperative to expand information technology courses for middle and high school students 250,000

Oakland Unified School District, CA, for personnel and related expenses to expand extended day kindergarten to new sites 500,000

Ohio Department of Education, Columbus, Ohio, ''Commission on Secondary and Postsecondary Education'' project 250,000

Oklahoma State Department of Education, Oklahoma City, Oklahoma, for an education project in Oklahoma public schools providing hand held computers to enhance learning opportunities 525,000

Old Rock School in Guntersville, Alabama for arts education programs 60,000

Oregon Children's Foundation for a volunteer early literacy program 300,000

Oregon Public Broadcasting, Lewis and Clark Bicentennial Program for educational programming 50,000

Oregon School Safety Hotline to establish a statewide hotline 150,000

Orleans Parish School Board, Louisiana, for technology enhancements 55,000

Our Hope for Youth, Delaware for a school dropout prevention education media program on in-school educational networks targeting Hispanics and other high-risk groups 500,000

Overtown Youth Center, Miami, FL, for mentoring, family literacy, and other education and training services for at-risk youth 100,000

Pacific Islands Center for Educational Development in American Samoa 400,000

PARENTS, Inc., Anchorage, Alaska, for implementation and expansion of their projects to train teachers, specialists and parents in the use of technology to assist students with disabilities 1,000,000

PARENTS, Inc., Anchorage, Alaska, for the Technology in Action Program (TAP) 500,000

Partners in Economic Progress in Des Moines, IA for a mentoring and education support program for disadvantaged children. 100,000

Pasadena Unified School District, Pasadena, CA, for a math, science and technology magnet program at the Washington Middle School 100,000

Patrick County Education Foundation, Stuart, VA, for a college access initiative, including GED assistance for individuals who have dropped out of high school 218,000

Pawtucket School Department, Pawtucket, RI, for personnel, equipment and curricula to establish after school and summer school programs 450,000

Peabody-Essex Museum, Salem, MA, to expand the Museum Action Corps in partnership with Salem High School, and for exhibits and programming for the Trade Winds project 500,000

Pendleton School District, Oregon for dropout prevention programs 50,000

Pennsylvania Ballet, Philadelphia, PA, to expand statewide the ''Accent on Dance'' program which offers in-school and after-school programs for elementary and secondary students .. 100,000

Philadelphia Foundation, Philadelphia, PA, for a Sports and Entertainment Career Expo to expose high school students in the Philadelphia region to career opportunities in the sports industry and to assist organizations in the replication of mentoring pro 50,000

Philadelphia Health Management Corporation, Philadelphia, PA, in collaboration with the National Center for Learning Disabilities to conduct early childhood literacy training and program development activities as part of the Get Ready to Read! Initiative 100,000
Philadelphia Martin Luther King, Jr. Association for Nonviolence Inc., Philadelphia, PA, for its College for Teens program 100,000
Philadelphia Orchestra, Philadelphia, PA, to expand its educational programs 175,000
Philadelphia Safe and Sound, Philadelphia, PA, to establish schools in Strawberry Mansion and Mantua to serve as a base for family support, community services, and comprehensive youth development and after-school programs 300,000
Philadelphia Youth Orchestra, PA to expand after school arts education programs 150,000
Philadelphia Zoo, Philadelphia, PA, for the Zoo School Education program and the Junior Zoo Apprentice New Ventures program to provide at-risk students with access to science and environmental classes 250,000
Phillips School District, WI, for after school programs 270,000
Pico Union Family Resource Center, Los Angeles, CA, to expand education programs for youth and adults 100,000
Pinellas County Florida School District, St. Petersburg, Florida, for technology for Title I schools 2,000,000
Pittsburgh Cultural Trust, Pittsburgh, PA, to assist educators with professional development programs that include workshops and live performances and to bring area students to the theater for curriculum-based programs 100,000
Pittsburgh Digital Greenhouse, Pittsburgh, PA, to develop high tech curriculum in the Allegheny County area through a collaborative effort with Penn State University, University of Pittsburgh, and Carnegie Mellon University 250,000
Pittsburgh Symphony for an education and outreach program 350,000
Pittsburgh Technology Council, Pittsburgh, Pennsylvania, for training and technology upgrades 300,000
Pittsburgh Voyager, PA for math and science education programs 250,000
Plymouth Christian Youth Center, Minneapolis, MN, to expand arts education, after school, technology training, and other education programs 300,000
Plymouth Community Renewal Center, Louisville, Kentucky, for after school programs 15,000
Pomona Unified School District, Pomona, CA, for a Teacher Literacy Training and Technology program 400,000
Port Chester-Rye Union Free School District, Port Chester, NY, for extended day and other expenses to implement the community schools model in up to three schools 600,000
Prince Music Theater, Philadelphia, PA, to develop a comprehensive in-school and after-school program to provide at-risk youth with education and training in the arts 50,000
Prince William County Public Schools, Manassas, Virginia, for Middle School Reading and Mathematics Remediation Program 300,000
Pro Sports Outreach 50,000
Project 2000, Washington, DC, to support the continuation of Project 2000, including after-school and weekend programs which provide academic support and educational mentoring services to inner city youth in low-income housing developments in Southeastern ... 125,000
Project GRAD-USA Inc., in Houston, Texas for continued support and expansion of the successful school reform program. .. 20,000,000
Project H.O.M.E., Philadelphia, PA, for the planning and design of the Honickman Roberts Learning Center, to provide technology and computer education, youth academic enrichment, after-school programming, and adult instruction to disadvantaged residents 100,000
Project Intercept Inc., Brooklyn, NY, for mentoring programs, guidance counselors, and training for teachers, principals, and parents ... 200,000
Project Rainbow, Philadelphia, PA, to provide early childhood services and after-school programs as a means to address the root causes of homelessness 250,000
Public Affairs Research Council, Baton Rouge, Louisiana, for the Louisiana's District Accountability Program 100,000
Public School District 31, Staten Island, New York for library books for 4th and 5th graders 500,000
Public/Private Ventures, Philadelphia, PA, for the continued operation and expansion of the Youth Education for Tomorrow Center, as part of an after-school, literacy initiative 50,000
Range Association of Municipalities and Schools, Buhl, MN, for a technology-based teacher education program serving rural school districts in northeastern Minnesota 250,000
Ravenswood City School District, East Palo Alto, CA, for an e-learning pilot program at Belle Haven Elementary School in Menlo Park 250,000
Reach Out and Read 3,000,000
ReadNet Foundation, New York, NY, to fully implement web-based simulation educational program 100,000
Realworld Schools, Inc., Fresno, CA, for personnel, curricula, professional development, equipment and other expenses to establish the El Paso Realworld School ... 150,000
Recognizing Achievement-Rewarding Excellence (R.A.R.E.) Foundation, Troy, Michigan, to give teachers effective tools to motivate students in constructive career paths 300,000
Reuben Lindh Family Services, Minneapolis, MN, for its ''Family Focus'' preschool education program 600,000
Riverside County Office of Education, Riverside, California, to further implement and develop County Achievement Team model 500,000
Robbie Valentine STARS Club Education Program, Jeffersonville, Indiana, for sports-related mentoring program in Louisville, Kentucky 40,000
Rutgers University Law School to support a scholarship fund, public interest activities, and its work with the LEAP Academy Charter School, including the purchase of books and equipment 500,000
Rye Neck Union Free School District, Mamaroneck, NY, to implement a school-wide enrichment model program 20,000
Sacramento Housing and Redevelopment Agency, CA, in coordination with the Sacramento City Unified School District, for early childhood education, after school and parental support programs for students in the Franklin Villa community 400,000
Salt Lake City School District, Salt Lake City, Utah for an english as a second language project 200,000

San Bernadino County Superintendent of Schools, CA, to expand schools-to-careers initiatives, including the Virtual Hi-Tech High Program, the Virtual Career Library and teacher training activities 500,000
San Juan Unified School District, Carmichael, California for Focus on Literacy program 217,000
San Pasqual Academy, Escondido, California, for technology infrastructure 225,000
Santa Barbara Community Youth Performing Arts Center, Santa Barbara, CA, for salaries and expenses for the Santa Barbara Junior High Theatre 100,000
Santa Barbara High School District, Santa Barbara, CA, for the San Marcos High School Health Careers Academy 50,000
School District 24J, Salem, OR, for the West Salem High School technology program 100,000
School District of Bayfield, WI, for after school programs 295,000
School District of Beloit, WI, for telecommunications equipment and upgrades 150,000
School District of Flambeau, Tony, WI, for equipment and technology to create a national parks virtual reality education program 50,000
School District of Palm Beach County, FL, for a family literacy project including bilingual education, counseling services and distance education, and for curricula and professional development 700,000
Science and Technology Museum of Georgia, Inc., Atlanta, Georgia, for SciTrekChallenger Learning Center project 50,000
ScienceSouth, Inc., Florence, South Carolina, for science education programs, science traveling exhibits, and outreach activities 100,000
Sedro-Woolley School District, Mt. Vernon, WA, in collaboration with the Pacific Northwest Trail Association, for the Service Knowledge Youth (SKY) Education Program 300,000
Selma Youth Development Center, Selma, AL, for an ''at-risk'' youth intervention and training program, including professional development, school-to-work training, and conflict resolution activities 500,000
Semos Unlimited, Inc., Santa Fe, NM, to develop bilingual education materials and programs 500,000
Sewickley Area YMCA, PA for education initiatives 125,000
Shiloh Community Renewal Center, Louisville, Kentucky, for after school programs 50,000
Sioux City Community School District in Sioux City, IA to continue and expand the implementation of testing software in Iowa 800,000
Society of St. Vincent de Paul, Detroit, Michigan, for after school program 250,000
Somerset Independent Schools, Somerset, Kentucky, for High School Technology Academy 80,000
South Cook Education Consortium, Hazel Crest, IL, for its ''PowerUP'' education technology enhancement initiative 175,000
South County Family Educational and Cultural Center, Grover Beach, CA, for the ''Computers to Youth'' program and to expand education programs for students 55,000
South Shore Drill Team and Performing Arts Ensemble, Chicago, IL, for after school educational services for at-risk students 50,000
Southeast Associated Ministries, Inc., Louisville, Kentucky, for after school programs 20,000
Southeastern Pennsylvania Consortium for Higher Education (SEPCHE), Philadelphia, PA, to develop ''global curriculum'' challenging students to develop their knowledge of foreign languages and culture 750,000
Southern Star Development Corporation, Louisville, Kentucky, for after school programs 20,000
Space Education Initiatives Inc., Green Bay, Wisconsin, for professional development programs and technology 500,000
Springfield Public School District #19, Springfield, OR, for the ''Schools Plus Plus'' initiative to expand after school, academic and family outreach initiatives 500,000
St. Boniface Neighborhood Outreach Program, Inc., Louisville, Kentucky, for after school programs 50,000
St. Charles Parish School Board, Louisiana, for technology enhancements 42,000
St. Louis Children's Museum, MO, for a collaborative project with the St. Louis Public Library to create interactive exhibits and educational programs 500,000
St. Stephens Family Life Center, Louisville, Kentucky, for after school programs 50,000
St. Tammany Parish School Board, Louisiana, for technology enhancements 55,000
Stark County Park District, Canton, Ohio, for ''Electronic Education Gateway'' project 500,000
State College YMCA, PA for education initiatives 150,000 .....
State of Alaska for Right Start extended-day kindergarten program 1,100,000
State of Utah, Office of Education for a computerized assessment demonstration project 700,000
Stevens Point Area School District, WI, to implement smaller learning communities 1,500,000
Superior School District, WI, for after school programs 500,000
Tacoma Public Schools, Tacoma, WA, to implement an online learning pilot project 200,000
Tangipahoa Parish School Board, Louisiana, for technology enhancements 42,000
Teach for America, New York, New York 1,000,000
Teen Tyme Productions, Inc., Anchorage, Kentucky, for positive broadcasting programs for teens 10,000
Temple Community Development Corporation, Louisville, Kentucky, C.A.N. Program for after school programs 50,000
Tensas Reunion, Inc., Newellton, LA, for instructional, technology training, and after school programs at the Tensas Charter School 200,000
Texas A&M University, Corpus Christi, TX, for education and training services at its Early Childhood Development Center 350,000
Texas Tech University System, Lubbock, Texas, to expand opportunities in math and science education for K–14 rural school districts 500,000
The Cleveland Museum of Art, Cleveland, Ohio, for ARTS.21 program 500,000
The First Tee, St. Augustine, Florida, to train instructors about how to teach the core values 1,000,000
The Gibson Foundation, Santa Monica, CA, for music education programs 250,000
The Lighthouse—A United Methodist Community Center, Louisville, Kentucky, for after school programs 30,000
The Opera Company of Philadelphia, PA for educational programs 200,000
Thornton Township High School District 205, South Holland, IL, for professional development, technology, technical assistance and other expenses to implement high school reform activities 500,000

Tides Foundation, for McKelvey entrepreneurial college scholarships to rural, low income Pennsylvania high school graduates 300,000

Tiskelwah Community Center, Charleston, West Virginia, for at-risk youth and young adult program 100,000

Tiskelwah Community Center, Charleston, West Virginia, for the Bob Burdette after school program 150,000

Titusville Area Senior High School, Titusville, Pennsylvania, for technology infrastructure 150,000

Today Foundation, Dallas, Texas, for the development of an Internet-based learning program .. 100,000

Toledo Public Schools, OH, for educational services for at-risk students and their families as part of the Toledo education-housing partnership pilot program 225,000

Town of Cumberland School Department for the comprehensive Middle School Education initiative 150,000

Trinity Family Life Center, Louisville, Kentucky, for after school programs 30,000

Tuckahoe Union Free School District, Eastchester, NY, for an external audit of district programs and practices, and for after school services 33,000

U.S. Dream Academy, Inc., Columbia, MD, to improve and maintain Dream Academy Learning Centers and after school programs for at-risk children with a family history of incarceration 600,000

Union Parish Public School System, LA, to implement an online assessment and interactive instructional program 200,000

United Crescent Hill Ministries, Inc., Louisville, Kentucky, for after school programs 25,000

University of Alaska Center for Excellence in Schools to assist Alaska's low performing schools with meeting the requirements of new state educational standard 1,000,000

University of Alaska Museum in Fairbanks for educational programs related in support of the Summer Arts Festival 150,000

University of Alaska System for Early Education Development program for SEED (System for Early Education Development) program to expand early childhood services for children ages 0–6 and to train Early Head Start teachers with AAS degrees for positions 1,800,000

University of Iowa for the Iowa and Israel: Partners in Excellence program to enhance math and science opportunities to rural Iowa students 200,000

University of Maine, Coaching Education Initiative to support a research-based curriculum development and community awareness program 400,000

University of North Texas and Paul Quinn College for a math and science teacher academy 250,000

University of Northern Iowa, in collaboration with the Waterloo Community Schools for the expansion of an early childhood development center 1,500,000

University of Pennsylvania, Graduate School of Education, PA, to establish a teacher professional development center at the University of Pennsylvania-assisted neighborhood school 1,000,000

University of South Alabama, Mobile, Alabama for the Preparatory Music Program 50,000

University of South Florida, Tampa, FL, for the Tampa Bay Consortium for the Development of Educational Leaders and the Preparation and Recruitment of Teachers 100,000

University of Southern Mississippi, Frances A. Karnes Center for Gifted Studies, Hattiesburg, Mississippi, to expand gifted student summer programs 200,000

University of Texas at Tyler, TX, for math and science teacher training and curriculum development 350,000

University of West Florida, Pensacola, Florida, for Support for Teachers Enhancing Performance in Schools 500,000

Urban League of Metropolitan Denver, CO, to expand the ''Urban Adventures'' after school program to additional sites 350,000

Utica Zoological Society, Utica, New York, to update the educational facilities and Teacher Resource Center and update equipment 250,000

Vancouver Public Schools, Vancouver, WA, for personnel, technology, and other expenses to expand the Personalized Learning in a Connected Community Initiative 333,000

Venango County AVTS, Oil City, Pennsylvania, for technology infrastructure 100,000

Virginia Commonwealth University, Richmond, VA, for the Great Cities' Universities Urban Educator Corps Partnership Initiative 350,000

Virginia War Memorial Educational Foundation in Richmond, Virginia for program development associated with the Virginians' At War project .. 150,000

Voyager Expanded Learning, Dallas Texas, to implement the Voyager Universal Literacy System demonstration in the Ohio public schools .. 575,000

Warwick After-School Program in Warwick, Rhode Island to establish a middle school after-school program 300,000

Washington Office of the Superintendent of Public Instruction, State of Washington, for development of a student data database 500,000

Washington Parish School Board, Louisiana, for technology enhancements 25,000

Wausau School District, WI, for foreign language, music and other education programs 650,000

Webster Groves School District, St. Louis, MO, for computers, and technology equipment and training 50,000

West Ed Eisenhower Regional Consortium for Science and Mathematics, San Francisco, California, for 24 Challenge and Jumping Levels Math 225,000

West Philadelphia YMCA, Philadelphia, PA, for educational and recreational programming to serve at-risk youth 250,000

West Valley City in Utah for program improvement and technology acquisition for an after school families program 250,000

Westchester Philharmonic, Hartsdale, NY, for music education programs 150,000

WestEd Eisenhower Regional Consortium for Science and Mathematics, Philadelphia, PA, for statewide expansion educational programs and curriculum 125,000

Western Governors University, Salt Lake City, Utah, for distance education programs 1,300,000

Westernaires in Golden, Colorado for outreach and educational programs for at risk youth .. 500,000

Westside High School, Bakersfield, California, for equipment	20,000
Wichita Public School District for staff development	250,000
Wisconsin Educational Partnerships, Inc., Chippewa Falls, WI, for a teacher professional development initiative	650,000
WQLN Educational Services, Erie, PA, to expand the F.A.M.I.L.I.E.S. Turn onto Literacy program which emphasizes entire family involvement in teaching a child to learn to read	75,000
YMCA of Anchorage for after-school enrichment programs for at-risk youth	250,000
YMCA of McKeesport, McKeesport, PA, to support the Teen LEAD	50,000
YMCA of Metropolitan Fort Worth, Texas, for Together Reaching Unity Concerning Everyone (TRUCE) project	440,000
YMCA Safe Place Services, Louisville, Kentucky, for after school programs	40,000
Yonkers Public Schools, Yonkers, NY, to implement smaller learning communities in up to four high schools	350,000
Youth Alive, Inc., Louisville, Kentucky, for after school programs	15,000
Youth Guidance of Chicago, IL, to implement the Comer School Development Program in additional schools	25,000
YouthPlaces, Pittsburgh, PA, to expand after-school programs for teenagers from high crime neighborhoods in the Sto-Rox, Wilkinsburg, Clairton and Duquesne communities	100,000
YWCA of Anchorage for after-school enrichment programs for at-risk school children and their mothers	250,000
YWCA of Anchorage Girls in Alaska for the Run and Girls on Track after school programs	50,000

The conference agreement also includes $1,000,000 for ''Foundations for Learning Grants'' for the promotion of school readiness through early childhood emotional and social development, as authorized under the Fund for the Improvement of Education.

The conferees have included additional funds in this line item for the Secretary to support programs and projects that address national priorities in K–12 education.

The Secretary of Education is encouraged to examine the rapidly-growing use of handheld computer technology and the one-to-one (computer-to-student) computing it offers in a school environment. Handheld computing is rapidly becoming more affordable, enhancing the cost effectiveness of this approach, especially when coupled with wireless technology.

Community service and alcohol abuse reduction programs

The conference agreement includes $50,000,000 for grants for community service for expelled or suspended students and $25,000,000 for grants to reduce alcohol abuse as proposed by the Senate. H.R. 246 did not propose separate funding for these programs.

Teaching of traditional American history

The conference agreement includes $100,000,000 for the teaching of traditional American history, as proposed by the Senate instead of $50,000,000 as proposed by H.R. 246.

Civic education

For Civic Education, the conference agreement includes $29,000,000 instead of $27,000,000 as proposed by H.R. 246 and $30,000,000 as proposed by the Senate. Of the total, $12,000,000 is for Cooperative Education Exchanges and $17,000,000 is for We the People. The conferees support allocating $1,500,000 of the total amount for a continuation of the violence prevention demonstration program. Further, the conferees intend that $3,000,000 be allocated for a cooperative project among the Center for Civic Education, the Center on Congress at Indiana University, and the Trust for Representative Democracy at the National Conference on State Legislatures to implement a comprehensive program to improve public knowledge, understanding, and support of American democratic institutions.

National writing project

The conference agreement includes $17,000,000 for the National Writing Project instead of $14,000,000 as proposed by H.R. 246 and $18,000,000 as proposed by the Senate.

ENGLISH LANGUAGE ACQUISITION

The conference agreement includes $690,000,000 for English Language Acquisition programs as proposed by the Senate instead of $665,000,000 as proposed by H.R. 246.

SPECIAL EDUCATION

The conference agreement includes $10,095,639,000 for Special Education instead of $9,187,804,000 as proposed by H.R. 246 and $11,191,424,000 as proposed by the Senate. The agreement provides $4,423,639,000 in fiscal year 2003 and $5,672,000,000 in fiscal year 2004 funding for this account.

Included in these funds is $8,928,533,000 for Grants to States part B instead of $8,028,533,000 as proposed by H.R. 246 and $10,028,533,000 as proposed by the Senate.

The conference agreement includes $77,715,000 for research and innovation instead of $70,000,000 as proposed by the Senate and of $78,380,000 as proposed by H.R. 246. Within the amounts provided for Special Education Research and Innovation, the conference agreement includes funding for the following:

Best Buddies International, Inc. in Miami, FL to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment	$1,250,000
Best Buddies Pennsylvania, Philadelphia, PA, for the expansion of programming in Pennsylvania to enhance the lives of people with mental retardation by providing opportunities for one-to-one friendships and integrated employment.	25,000
Center for Learning and Technology, Spurwink Institute to ensure that students with disabilities have access to high quality education and technology.	600,000
George Mason University Krasnow Institute, Fairfax, Virginia, for conducting breakthrough research	300,000
Iowa Parent Training Information Center to continue a pilot on referral and legal advice	100,000
Loudoun Arc, Leesburg, Virginia, for Saturday Leisure program	90,000
Middle Tennessee State University, Murfreesboro, TN, for the Tennessee Center for the Study and Treatment of Dyslexia to improve instruction for students with dyslexia	100,000
National Industries for the Blind, Alexandria, VA, to establish the NIB National Technical Support and Training Center to develop a business leadership and management skills training program for individuals who are blind	250,000
Ohio Alliance of Community Center for the Deaf, Worthington, Ohio, for Ohio Deaf Assistive Services Model project	500,000
Ohio School for the Deaf, Columbus, Ohio, for Virtual Reality for the Deaf and Hard of Hearing project	1,350,000
Seton Hill College, Greensburg, PA, for the expansion and continuation of its integrated certification program in elementary/special education	200,000
St. Joseph's School for the Blind in New Jersey	700,000
University of Kentucky's Center for Instructional Technology and Learning to help special education teachers integrate technology in their curriculum	1,000,000
University of Northern Colorado National Center for Low Incidence Disabilities for development of new instructional techniques, technologies and materials	500,000
University of Southern Mississippi Center for Literacy and Assessment in Hattiesburg, Mississippi for support of the center's programs	750,000

The conference agreement also includes $92,500,000 for personnel preparation instead of $90,000,000 as proposed by H.R. 246 and $95,000,000 as proposed by the Senate. The conferees are particularly concerned about the shortage of qualified special education teachers and higher education faculty. Therefore, the conferees have included an additional $2,500,000 over the request to ensure an increase in funding for leadership personnel over the fiscal year 2002 level. These new funds are intended exclusively for training new personnel. Further, the conferees intend that any funds available over amounts needed for continuation grants be used to address the shortage of qualified personnel. The conferees request that the Department consult with the Appropriations Committees

prior to the announcement of grant competitions for personnel preparation activities.

The conference agreement includes $26,500,000 for parent information centers instead of $26,000,000 as proposed by H.R. 246 and $28,000,000 as proposed by the Senate.

The agreement also includes $38,210,000 for technology and media services instead of $37,710,000 as proposed by the Senate and $32,710,000 as proposed by H.R. 246. The agreement includes $10,000,000 for Recording for the Blind and Dyslexic.

The agreement also includes $1,500,000 for Public Telecommunications Information and Training Dissemination as proposed by the Senate. H.R. 246 did not contain funds for this activity.

The conferees continue to recognize the importance of very small businesses in increasing the quality and cost effectiveness of the television-captioning program. As this program transitions into a mandated program as authorized by the Telecommunications Act, the Department shall give full and fair consideration to the applications for very small businesses.

REHABILITATION SERVICES AND DISABILITY RESEARCH

The conference agreement includes $2,956,382,000 for Rehabilitation Services and Disability Research instead of $2,956,676,000 as proposed by H.R. 246 and $2,959,838,000 as proposed by the Senate.

The conference agreement includes $12,147,000 for client assistance state grants instead of $12,397,000 as proposed by the Senate and $11,897,000 as proposed by H.R. 246. The conference agreement includes $1,000,000 to support programs designed to improve the quality of applied orthotic and prosthetic research and help meet the increasing demand for provider services. The conferees intend that these funds should be used to support an orthotics and prosthetic awareness campaign, consisting of an educational outreach initiative designed to recruit and retain professionals and a series of consensus conferences to develop and disseminate best practices in the field.

The agreement also includes $39,629,000 for training as proposed by H.R. 246 instead of $42,629,000 as proposed by the Senate. The agreement also includes $21,032,000 for demonstration and training programs instead of $17,492,000 as proposed by H.R. 246 and $21,238,000 as proposed by the Senate. Within the amounts provided for vocational rehabilitation demonstration and training programs, the conference agreement includes funding for the following activities:

Abilities Fund in Centerville, IA to create a revolving loan fund for entrepreneurs with disabilities	$500,000
Alaska Center for Independent Living Personal Assistance Services project to bring services to more remote rural communities	200,000
Allied Services Foundation, Clarks Summit, Pennsylvania, to increase rehabilitation and fitness programs for those recuperating from strokes, spinal cord injuries and other condition	100,000
American Stroke Foundation, Overland Park, KS, for a stroke rehabilitation center	300,000
Apple Patch Community Inc., Crestwood, Kentucky, for vocational training for adults with mental retardation	20,000
Cerebral Palsy Research Foundation's Rehabilitation Research and Training Center at Wichita State University, Kansas to continue helping people with disabilities obtain self-sufficient employment	300,000
Challenge Alaska in Girdwood, Alaska for equipment acquisition and program support of the Adaptive Ski School	200,000
City of Carson, California, for rehabilitation and related services at the Joseph B. O'Neal, Jr. Stroke Center	145,000
Easter Seals of Southeastern Pennsylvania for program development in support of adults and children with disabilities	150,000
Enable America, Inc., Tampa, Florida, for civic/citizenship demonstration project for disabled adults	300,000
Lark Enterprises, Inc., New Castle, Pennsylvania, for Lark Enterprises Day Treatment Program for Persons with Autism	100,000
Louisiana Center for the Blind in Lincoln Parish, LA to provide education and rehabilitation for blind children and adults	50,000
Madonna Rehabilitation Center in Lincoln, Nebraska, to create a new standard of rehabilitation practice and program design for children and adults with disabilities	500,000
Northern Illinois University in DeKalb, Illinois to train teachers and rehabilitation specialists for blind persons	75,000
Vermont Department of Aging and Disabilities for the Vermont Jump on Board for Success Initiative	100,000
Wisconsin Coalition for Advocacy to establish a new office of protection and advocacy services for individuals with disabilities	100,000
The Arc of Northern Rhode Island, Woonsocket, RI, for vocational rehabilitation services for individuals with developmental disabilities	200,000
University of Wisconsin-Stout, Menomonie, WI, to establish The Excellence and Leadership Center at the Stout Vocational Rehabilitation Institute	200,000

The conference agreement includes $17,000,000 for Protection and Advocacy of Individual Rights instead of $15,200,000 as proposed by H.R. 246 and $17,500,000 as proposed by the Senate.

The conference agreement includes $70,000,000 for Independent Living Centers as proposed by H.R. 246 instead of $69,500,000 as proposed by the Senate. The agreement also includes $28,000,000 for services for older blind individuals as proposed by the Senate instead of $30,000,000 as proposed by H.R. 246.

The conference agreement includes $27,000,000 for assistive technology as proposed by the Senate instead of $30,884,000 as proposed in H.R. 246. The agreement also includes language allowing States which have received assistive technology extension grants in the past and are scheduled to be phased out of the program to continue to receive an award in fiscal year 2003 at the fiscal year 2002 level. This language is provided to allow time for the authorizing committees of jurisdiction to review the program in the context of reauthorizing the Assistive Technology Act. The conferees are aware that this program was originally designed to be ''seed money'' to develop assistive technology activities at the State level. The authorizing statute specifies that the State grant portion of the program would sunset after ten years, giving States time to develop their own programs in this area. The conferees encourage States to increase their support for protection and advocacy activities in planning their distribution of resources in the area of assistive technology.

The conferees are pleased that the National Institute on Disability and Rehabilitation Research has recognized chronic fatigue syndrome (CFS) as an unmet area of research and is funding a CFS research study. The conferees encourage NIDRR to continue to pursue CFS-related research proposals through its investigator-initiated and other grants programs.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The conference agreement includes $54,050,000 for the National Technical Institute for the Deaf instead of $53,500,000 as proposed by H.R. 246 and $54,600,000 as proposed by the Senate. The agreement also includes language proposed by the Senate allowing NTID to use funds from the total for the endowment program at its discretion instead of language proposed by H.R. 246 specifying that not less than $1,000,000 shall be for the endowment program and available until expended.

GALLAUDET UNIVERSITY

The conference agreement includes $98,438,000 for Gallaudet University as proposed by the Senate instead of $95,000,000 as proposed by H.R. 246. The agreement also includes language proposed by the Senate allowing Gallaudet to use funds from the total for the endowment program at its discretion instead of language proposed by H.R. 246 specifying that not less than $1,000,000 shall be for the endowment program and available until expended.

VOCATIONAL AND ADULT EDUCATION

The conference agreement includes $1,956,060,000 for Vocational and Adult Education instead of $1,919,560,000 as proposed by H.R. 246 and $1,938,060,000 as proposed by the Senate. The agreement provides $1,165,060,000 in fiscal year 2003 and $791,000,000 in fiscal year 2004 funding for this account.

The conference agreement includes $1,200,000,000 for Vocational Education basic state grants as proposed by H.R. 246 instead of $1,180,000,000 as proposed by the Senate.

The conferees continue to believe that technical institutes play an important role in developing a highly-skilled workforce, and that these institutes should have equal access to vocational and technical education funding. The conferees encourage the Department and the authorizing committees of jurisdiction to consider approaches to ensuring such equal access when developing their reauthorization proposals for the Carl D.

Perkins Vocational and Applied Technology Education Act, which is due to be reauthorized this year.

The conference agreement includes $108,000,000 for Tech Prep as proposed by the Senate, instead of $110,000,000 as proposed by H.R. 246.

The conference agreement includes $7,000,000 for Tribally Controlled Postsecondary Vocational Institutions as proposed by the Senate instead of $6,500,000 as proposed by H.R. 246. The agreement also includes language proposed by the Senate notwithstanding any other provision of law or any regulation that the Secretary of Education shall not require the use of a restricted indirect cost rate for grants issued pursuant to the tribally controlled postsecondary vocational and technical institutions program. H.R. 246 did not contain this provision.

The agreement also includes $9,500,000 to continue the occupational and employment information program instead of $10,000,000 as proposed by the Senate. H.R. 246 did not include funding for this activity.

The conference agreement includes $5,000,000 for the tech-prep education demonstration authorized under section 207 of the Perkins Act as proposed by the Senate. The agreement also includes $23,500,000 for State Grants for Incarcerated Youth instead of $25,000,000 as proposed by the Senate. H.R. 246 did not provide funding for these activities.

STUDENT FINANCIAL ASSISTANCE

The conference agreement includes $13,450,500,000 for Student Financial Assistance instead of $13,171,610,000 as proposed by H.R. 246 and $13,151,500,000 as proposed by the Senate.

The agreement provides a program level of $11,439,000,000 for Pell Grants instead of $11,200,110,000 as proposed by H.R. 246 and $11,180,000,000 as proposed by the Senate. The agreement also increases the maximum Pell Grant to $4,050 for award year 2003–2004 instead of $4,000 as proposed by H.R. 246 and $4,100 as proposed by the Senate. Additional funds are included within the appropriation for the Pell Grant program to continue to pay down the shortfall that has been accumulating in the program over the past two fiscal years.

The conferees are aware that many postsecondary institutions are struggling to make the most efficient use possible of their facilities as they prepare for enrollments that will grow by more than two million students over the next decade. Under the Department of Education's current practice, however, students may receive only one Pell Grant in a calendar year, limiting low-income students' ability to enroll year round. In the House report accompanying the Fiscal Year 2002 Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, the Committee requested that the Department submit a report, not later than March 1, 2002, on the feasibility and cost of conducting a demonstration program under Section 487(A)(b) of the Higher Education Act to provide two Pell Grants in one calendar year to students at selected institutions of higher education. The conferees note that the Department has failed to provide this report and again request that the Department provide this report to the House and Senate Committees on Appropriations, the House Committee on Education and the Workforce, and the Senate Committee on Health, Education, Labor, and Pensions no later than May 1, 2003.

The conference agreement also includes $765,000,000 for the Supplemental Educational Opportunity Grants program instead of $725,000,000 as proposed by both H.R. 246 and the Senate.

The conferees continue to be concerned about issues within the consolidation loan program. The conferees are aware that some borrowers would like to see the current law changed to allow for consolidation with any lender or holder, regardless of how many lenders with whom the borrower has loans. The conferees are concerned that without change to the current law governing consolidation loans, some borrowers may not be permitted to consolidate their loans with any lender they choose. The leaders of the authorizing committees have expressed a desire to address this and other issues during the reauthorization of the Higher Education Act so as to address the Consolidation Loan Program as a whole. The conferees urge those committees to ensure borrowers have the best options available to them in order to manage their student loan obligations.

HIGHER EDUCATION

The conference agreement includes $2,100,701,000 for Higher Education instead of $1,903,553,000 as proposed by H.R. 246 and $2,047,640,000 as proposed by the Senate.

Aid for institutional development

The conference agreement includes $82,000,000 for strengthening institutions as proposed by the Senate instead of $76,275,000 as proposed by H.R. 246. The agreement also includes $93,000,000 for Hispanic Serving Institutions as proposed by the Senate instead of $89,096,000 as proposed by H.R. 246.

The conference agreement includes $215,415,000 for Strengthening Historically Black Colleges and Universities as proposed by the Senate instead of $213,415,000 as proposed by H.R. 246.

The conference agreement includes $53,764,000 for Historically Black Graduate Institutions as proposed by the Senate instead of $50,764,000 as proposed by H.R. 246. The conference agreement also includes $8,234,000 for Alaska and Native Hawaiian Institutions as proposed by the Senate instead of $6,734,000 as proposed by H.R. 246.

The conference agreement includes $23,000,000 for Strengthening Tribal Colleges as proposed by the Senate instead of $18,130,000 as proposed by H.R. 246. The conferees agree that the funds provided shall be used to support continuation of existing basic grants and new planning or implementation grant awards. The remaining funds shall be available for grants for renovation and construction of facilities to help address urgently needed facilities repair and expansion.

Fund for the improvement of postsecondary education

The conference agreement includes $172,737,000 for the Fund for the Improvement of Postsecondary Education instead of $39,138,000 as proposed by H.R. 246 and $126,926,000 as proposed by the Senate. Within the amounts provided for the Fund for the Improvement of Postsecondary Education, the conference agreement includes funding for the following:

AIB College of Business, Des Moines, IA, to recruit and train students in captioning and court reporting	$500,000
Alabama A&M University in Normal, Alabama for equipment acquisition related to the research institute	550,000
Albany State University in Albany, Georgia, for teacher and nurse training in underserved professions	500,000
Albright College, Reading, PA, for the Albright Wireless Education and Training Center for training and information services	100,000
Alcorn State University in Lorman, Mississippi for the Midsouth Partnership for Rural Community Colleges in Mississippi for a pilot program to connect community colleges and 4-year university research	500,000
Alvin Community College, Alvin, Texas, to train real-time captioners to provide closed captioning to the deaf and hard-of-hearing	1,000,000
American Samoa Community College, Pago Pago, American Samoa, to establish a computer lab	500,000
Ashland University-Institute for Human Investment and Economic Growth, Ashland, Ohio, for Regional Economic Development training	250,000
Assumption College for technology infrastructure	100,000
AuCoin Institute for Ecological, Economic, and Civic Studies for curriculum development	150,000
Baldwin-Wallace College in Ohio for expansion of the SPROUT program	275,000
Ball State University, in Muncie, Indiana, for the expansion of programs administered by the Midwest Entrepreneurial Education Center	1,000,000
Baylor University, Waco, TX, for the GEAR UP Waco program, in partnership with the Waco Independent School District	500,000
Beresford Community Education in Beresford, SD to expand community education programs	150,000
Birmingham Southern College in Birmingham, Alabama for technology acquisition	100,000
Bloomsburg University, Bloomsburg, PA, in collaboration with the Columbia Alliance for Economic Growth, for technological infrastructure improvements for the Bloomsburg Regional Technology Center	100,000
Buena Vista University in Storm Lake, Iowa for upgrades and equipment for the science center	500,000
Butler Community College, El Dorado, Kansas, for a leadership studies program	250,000
C.O.E.I.T.T.—Center for Excellence in Information Technology and Telecommunications (OSU, OU, TU, & the IT community) for program development, including acquisition of technology	200,000

Cabrini College, Radnor, PA, for equipment for programming for the Center for Science, Education, and Technology for K–12 students 200,000

Caldwell College, Caldwell, New Jersey, for Center for Excellence in Teaching Initiative 950,000

California State University, Monterey Bay, CA, for a research center on the use of wireless technology in education and industry 425,000

California State University, Northridge, CA, for technology and other expenses to develop an entertainment engineering curriculum 400,000

Catawba Valley Community College, Hickory, North Carolina for operation costs of the Hickory Metropolitan Higher Education Center 250,000

Cayauga Community College, Auburn, New York, for technology upgrades 275,000

Centenary College, Hackettstown, New Jersey, for technology initiative 350,000

Center for Community Transformation, Chicago, IL, to support faculty, student fellowships, and ongoing secular educational activities in community leadership transformation 125,000

Central College, Pella, Iowa, for teacher training in technology and for distance education programs 800,000

Central Florida Community College, Ocala, Florida, for teacher training 500,000

Chamber Foundation, Columbus, Ohio, for the ''College Access'' and ''Career Steps'' programs 405,000

Chicago State University, Chicago, IL to expand Weekend College instructional programs 225,000

City College of San Francisco, San Francisco, CA, for the National Articulation and Transfer Network to facilitate the completion of postsecondary education by underrepresented African-American, Hispanic/Latino, and Native American students 250,000

Clatsop Community College, Clatsop County, Oregon for technology and equipment acquisition 50,000

Clemson University College for a program design to recruit minority males as teachers in public schools 700,000

Coffeyville Community College for computer network enhancement 250,000

College of Southern Idaho for development of distance learning services, including the acquisition of technology 300,000

Columbia College Chicago, IL, for a Center for the Study of Women in the Arts and Media 125,000

Columbia University, New York, for a joint project with the Hostos Community College of the City University of New York, to train minority students in foreign policy disciplines through distance learning 350,000

Community College of Beaver County, Monaca, PA, to acquire state-of-the-art technology to support educational programming 50,000

Concurrent Technologies Corporation, Largo, Florida, for Community College/Vocational Industry Cluster HUBS initiative 1,250,000

Cossatot Community College of the University of Arkansas, De Queen, AR, for early childhood education instructional staff and equipment 475,000

Cowley Community College, Wichita, Kansas, for the Southside Learning Center, for equipment 250,000

Cuesta College, San Luis Obispo, CA, for supplies and equipment for its nursing education program 35,000

Curry College in Massachusetts for technology and programs to assist learning disabled students 175,000

Cuyahoga Community College's Music and Education Technology Program, Cleveland, Ohio to support a program of music study integrated with technology 405,000

Cuyamaca College, Rancho San Diego, California, for expanded math and science education 700,000

Daemen College, Amherst, New York, after-school enrichment programs for people with developmental disabilities 1,300,000

Dakota State University in Madison, SD, for technology and equipment for a model distance learning center 900,000

Dakota Wesleyen University, Mitchell, SD, to acquire technology and equipment to serve the George McGovern Library 1,000,000

Darton College, Albany, GA, to expand minority and nontraditional student recruitment and academic support activities 900,000

Daytona Beach Community College, Florida, for instructional equipment and technology infrastructure for the Advanced Technology Center 250,000

Dean College, Franklin, MA, to improve curricula and upgrade mathematics, science and writing laboratories for students with disabilities 150,000

DeSales University, Center Valley, PA, for computer wiring for smart class rooms for training for area K–12 teachers and students 100,000

Dowling College, Oakdale, NY, for personnel, instructional materials, student scholarships, and other expenses for a Minority Teacher Development and Training Center 400,000

Drexel University, Philadelphia, PA, for the development and expansion of the Math Forum as a national, on-line math education center 250,000

Durham Technical Community College, Durham, NC, for personnel, student scholarships, and other expenses to improve the articulation of community college students into teacher preparation programs 50,000

D'Youville College in Buffalo, NY to increase enrollment and improve outreach in the nursing program 250,000

Eastern University, Philadelphia, PA for new bilingual health care studies program and purchase of equipment in support of program expansion 300,000

Eastern Washington University, Cheney, Washington, Technology Initiative for the New Economy 510,000

Eckerd College, St. Petersburg, Florida, for Alternative Teacher Certification Program 500,000

Eckerd College, St. Petersburg, Florida, for technology infrastructure 1,250,000

Edinboro University Education Center-Precision Manufacturing Institute 450,000

Edward Waters College, Jacksonville, FL, for library enhancements, technology, and telecommunications upgrades 500,000

Elgin Community College, Elgin, Illinois, for Integrated Systems Technology Program 250,000

Embry-Riddle Aeronautical University, Prescott, Arizona, for academic and technical literature 500,000

Emerson College in Boston for the Tufte Performance and Production Center Initiative 800,000

Emporia State University, Emporia, Kansas, for technology upgrade 400,000

Environmental Interpretive Facilities at the Juanita College Raystown, Huntingdon, Pennsylvania, for equipment 500,000

Evergreen State College in Olympia, Washington for research and curriculum costs of a program addressing the needs of tribal governments 150,000

Excelsior College, Albany, New York, for curriculum development 250,000

Fayetteville Technical Community College, Fayetteville, North Carolina, for the Adventure of the American Mind program 150,000

Federation of American Scientists, Washington, D.C., for Digital Opportunity Investment Trust 750,000

Federation of Independent Illinois Colleges and University for telecommunications equipment and for training programs necessary to link educational institutions to a high bandwidth network 100,000

Fisk University in Nashville, Tennessee for technology acquisition in support of a new information technology center and to improve student learning 300,000

Florida Campus Compact, Tallahassee, FL, to enhance service-learning on college campuses throughout Florida 500,000

Ft. Lewis College, Center for Southwest Studies in Colorado for the acquisition of equipment and technology and an educational program for Native American interns 1,600,000

Gateway Community College, New Haven, CT, to implement an associates degree nursing program .. 250,000

George Meany Center for Labor Studies—the National Labor College for curriculum development 750,000

Georgia College and State University, Milledgeville, Georgia, for the Paul Coverdell Institute and Archives 800,000

Glenville State College, Glenville, WV, for faculty, curricula, and equipment to establish a computer science and information technology program 175,000

Gonzaga University, Spokane, Washington, for furnishing, equipment and salaries for their natural resources and research program 510,000

Governors State University, University Park, IL, for equipment and training programs at the College of Education Family Development Center 150,000

Grambling University in Lincoln, Louisiana to increase the number, skills and competitiveness of minority faculty and students in biomedical research 150,000

Grand Valley State University, Allendale, Michigan, for Teacher Academy 500,000

Great Plains Center for Applied Latino/Latin American Studies at University of Nebraska at Omaha to stimulate the academic study of Latino and Latin American culture, history and economics 1,000,000

Harford County Public Schools, Bel Air, MD, for support of a math and science magnet school program at Aberdeen High School 500,000

Harrisburg Polytechnic Institute, Harrisburg, PA, for a K–16 curriculum, equipment, and technology upgrades 262,000

Hartwick College, Oneonta, New York, for equipment 750,000

Hickory Metropolitan Higher Education Center, Hickory, North Carolina for program development 125,000

Higher Education Learning Center in Des Moines, Iowa for curriculum development 100,000

Highline Community College, Des Moines, Washington, to establish a Marine Science and Technology Center 500,000

Hofstra University to equip smart classrooms for teacher education 50,000

Holy Family College, Philadelphia, PA, to develop on-line based teacher training programs for teacher certification and other teacher training. 50,000

Huntingdon College for Training Teachers in Technology in Montgomery, Alabama 500,000

Huntington Junior College, WV, for personnel, curricula, student scholarships, and other expenses to recruit and train students in real-time captioning 900,000

Independence Community College, for early childhood education center to train teachers for tomorrow 250,000

Indian Hills College in Ottumwa, Iowa for technology upgrades and equipment at the Bioprocess Training Center 500,000

Indian River Community College, Ft. Pierce, St. Lucie, Florida, for Grow Our Own Teachers project 800,000

Indiana University, Bloomington, IN, for the Center on Congress civic education program 50,000

Iowa Central Community College, Fort Dodge, Iowa, for Iowa Communications Network Pilot Program 300,000

Iowa Student Aid Commission to continue a program of loan forgiveness for teachers 500,000

Jackson State University, Jackson, MS, to establish an e-center focused on electronic-based teaching and learning, research, and community outreach and services 550,000

James W. Norman Hall, University of Florida, Gainesville, Florida, for technology and infrastructure project 250,000

Jefferson College, Hillsboro, MO, for personnel, technology and other expenses to establish a Center for the Study of Local Issues 100,000

Johnson and Wales University in Providence, RI, to enhance its teacher preparation program 100,000

Johnson C. Smith University, Charlotte, NC, to establish a Campus and Community Center for Learning and Technology to address education needs in the region 150,000

Kean University, Union, New Jersey, for Global Studies and UN Internship Program 100,000

Kent State University, Kent, Ohio, for Institute for Computational Design 1,250,000

Kent State University's Liquid Crystal Institute in Ohio for educational programs 475,000

Kentucky Wesleyan College's Science Center for equipment and educational programs 500,000

Keystone Central School District in Pennsylvania, in collaboration with Lock Haven University, to continue a model alternative school 750,000

Keystone College, La Plume, Pennsylvania, to equip an Environmental Science Laboratory and Resource Center and a Center for Teaching, Learning and Technology 450,000

Lake Forest College, Illinois, to develop a new state-of-the-art library and learning center 25,000

Langston University, Langston, Oklahoma, to fund a scholarship endowment for students to be designated as the ''Thurgood Marshall Endowed Scholarship'' 225,000

Le Moyne College, Syracuse, New York, for upgrading equipment 125,000

Lehigh University, Bethlehem, PA, for the Center for Promoting Healthy Development for Individuals with Disabilities for research to develop strategies to improve the health of individuals with disabilities 100,000

Lehman College, Bronx, New York, for a distance learning initiative to connect pre-service teachers with experienced classroom teachers 200,000

Lewis and Clark Community College, Godfrey, IL, for activities related to the study of aquatic and terrestrial ecosystems at the Great Rivers Research and Education Center 900,000

Lincoln University, Lincoln University, PA, to purchase laboratory and computer equipment for state-of-the-art science laboratories, and to enhance its chemistry, physics, biology and computer science technology capabilities 100,000

Lorain County Community College, Elyria, OH, for telecommunications and technology upgrades, course development, and instructional support for the Learning Technology Center 250,000

Los Angeles Mission College, CA, for its Economic Self-Help Project to train small business owners 300,000

Los Angeles Valley College, Valley Glen, CA, for a career ladder nursing program in collaboration with Los Angeles Southwest College 250,000

Louisiana State University, Baton Rouge, Louisiana, for its Law Center, Medical and Biotechnology project to recruit and train laws/medicine specialists, develop health care programs, databases and training ... 200,000

Lourdes College, Sylvania, OH, for professional development, technology upgrades, equipment, and education outreach programs 225,000

Loyola University, Chicago, IL, for science laboratory equipment 500,000

Lyon College, Batesville, AR, for acquisition of lab equipment and communications system upgrades for its Center for Science and Mathematics 300,000

Manhattanville College, Purchase, NY, for the ''Jump Start'' alternative teacher certification program 500,000

Manor College, Jenkintown, PA, for a veterinary technician distance education program 100,000

Maricopa County Community College District, Phoenix, AZ, for the Hispanic Nursing Fellows Program to address the national nursing shortage 100,000

Maricopa County Community College District, Tempe, AZ, for personnel, student scholarships and other expenses to expand a national center to improve teacher recruitment, preparation and retention 400,000

Maricopa County Community College District, Tempe, AZ, for the Hispanic Nursing Fellows Program, including student scholarships 200,000

Maryland Association of Community Colleges to reinforce community colleges' ability to educate and train the Information Technology workforce throughout Maryland 950,000

Maxine Waters Employment Preparation Center, Los Angeles Unified School District, CA, to expand education and training programs 200,000

Mendocino-Lake Community College District, Ukiah, CA, to develop an associates degree program in nursing 200,000

Mercyhurst College, PA, for program support and equipment in support of the Institute of Public Health 200,000

Mesa State College, Grand Junction, Colorado, for Teacher Preparation Initiative 116,000

Mid-State Technical College, Wisconsin Rapids, WI, for instructional supplies, faculty and capital equipment to expand an urban forestry program .. 500,000

Military Heritage Foundation, Carlisle, PA, for the United States Army History Institute Military History Institute to provide joint research and teaching opportunities in military and social history 125,000

Minnesota State Colleges and Universities, St. Paul, Minnesota, for development of an e-monitoring environment 600,000

Minot State University, Minot, North Dakota, to continue providing disability services to remote rural communities 200,000

Mississippi State University for the Midsouth Partnership for Rural Community Colleges in Mississippi for a pilot program to connect community colleges and 4-year university research 500,000

Mississippi Valley State University, Itta Bena, MS, to establish a master of science degree program in bioinformatics .. 350,000

Mitchell Technical Institute in Mitchell, SD, for technology and equipment 110,000

Molloy College in New York for smart classrooms for the nursing department 50,000

Montana State University in Billings, Montana, for the development of a computer technology program 700,000

Montclair State University, NJ, for the Center for Teacher Preparation and Learning Technology to expand teacher training programs 300,000

Montgomery County Community College, Blue Bell, PA, for personnel, curricula, technology, and other expenses for an advanced technology center 375,000

Moravian College, Bethlehem, PA, for computer wiring for smart class rooms for training for area K–12 teachers and students 100,000

Mount Aloysius College, Cresson, PA, for the training of faculty in the use of technology-based curriculum 100,000

Mount Union College, Alliance, Ohio, for Master Teacher program 100,000

Mount Union College/Alliance City Schools, Alliance, Ohio, for Early Childhood Center 100,000

Mt. Vernon Nazarene College, Mt. Vernon, OH, equipment, technology upgrades of the Natural Sciences and Social Sciences facility 600,000

National Aviary Conservation Education Technology Integration in Pittsburgh 250,000

National University, La Jolla, California, for the Institute for Persons Who Are Hard of Hearing or Deaf 500,000

New College of California, San Francisco, CA, to establish degree programs in community studies, urban ecology and sustainability studies, and spirituality and politics through a new institute, and for student scholarships 400,000

New England Board of Higher Education, Boston, MA, for a study of minority student participation in science and technology disciplines 200,000

New Hampshire Community Technical College in New Hampshire for a distance learning initiative, including the acquisition of technology 500,000

New World Symphony, Miami Beach, FL, for distance education music programs 100,000

Nicholls State University, Thibodaux, Louisiana, for Advanced Technology Center or Intergenerational Center 400,000

Northeastern State University, Tahlequah, OK, for expenses to support faculty and students at the Center for Rural Development 250,000

Northern Essex Community College, Lawrence, Massachusetts, for the procurement and maintenance of educational equipment and technology infrastructure at NECC's technology training center. 200,000

Northern Illinois Center for Accelerator and Detector Development, DeKalb, Illinois 2,000,000

Northern Kentucky University, Highland Heights, KY, to expand technology certification and degree programs, distance learning and K–12 partnerships 150,000

Northern State University in Aberdeen, South Dakota, for technology and equipment at the Center for Statewide E-Learning 300,000

Northwestern College, Orange City, Iowa, for sound technology for Theatre Arts Center 200,000

Northwestern State University, Natchitoches, Louisiana, for Campus Technological Infrastructure Enhancement project 166,000

Northwest-Shoals Community College, Muscle Shoals, AL, for personnel, telecommunications, technology and security enhancements ... 400,000

Norwalk Community College, Norwalk, Connecticut, for equipment and personnel needed to launch the Community Security Institute 500,000

Oakland Community College, Bloomfield Hills, MI, to develop a curriculum for the Center for Combined Regional Emergency Services Training 250,000

Ohio Center for Advancement of Women in Public Service, Cleveland State University, Cleveland, Ohio, for developing training curricula, training program, operating costs to create the Legislative/Executive Training Institute 250,000

Ohio Wesleyan University, Delaware, Ohio, for implementing programs to encourage greater minority participation in the sciences for undergraduate and precollege populations 775,000

Oklahoma Regents of Higher Education, Oklahoma City, Oklahoma, to complete Ponca City's internet Hub project 1,500,000

Oklahoma State University, Okmulgee, OK, for its Commerce Development Center 125,000

Online Louisiana for equipment and IT 250,000

Palmer College of Chiropractic in Davenport, IA, for equipment and technology for the Learning Resource Center 500,000

Pasadena City College, Pasadena, CA, to develop a biotechnology training program 93,000

Peirce College, Philadelphia, PA, for technology enhancements, course development, faculty training and outreach activities to expand Peirce Online 200,000

Philadelphia University, Philadelphia, PA, to upgrade its campus-wide technology infrastructure to expand programmatic advances offered by the University's High Technology Education Center 600,000

Pittsburgh Tissue Engineering Initiative, Pittsburgh, PA, to expand its Teacher Education Program in order to introduce the concept of tissue engineering into the classroom 100,000

Polk Community College, Winter Haven, Florida, to establish a Corporate College to meet the locally identified education and training needs of the business community 500,000

Portland State University, Portland, OR, for instructional programs, distance learning and equipment for the Northwest Center for Engineering, Science, and Technology 1,000,000

Prince George's Community College, Largo, MD, for equipment, technology, and operating expenses for an extension center near Andrews Air Force Base 500,000

Providence College, RI, for equipment, technology and educational programs for its Center for the Arts 250,000

Rochester Institute of Technology, NY, for equipment for the Center for Biotechnology Education and Training 422,000

Saginaw Valley State University, University City, Michigan, for equipment, wiring and computer upgrade 500,000

Salt Lake Community College in Salt Lake City, Utah, to improve student learning through additional technology and equipment acquisition 500,000

Santa Clara University, CA, for telecommunications and technology equipment and upgrades 900,000

Santa Clarita Community College District, Santa Clarita, California, for equipment, personnel for the University Center 500,000

Science Education Technology initiative at University of Alabama to increase students success in biology, computer science, and physics 500,000

Seminole State College, Seminole, OK, for the Fast Track program at the School of Nursing for student support, scholarships and other services and assistance 50,000

Seminole State College, Seminole, Oklahoma, for the Technology Center for technology purchases 175,000

Seton Hall University, South Orange, NJ, for the Life Science and Technology Center 100,000

Shenandoah University, Winchester, Virginia, for the Computer Technology Enhancement program to retrain teachers 180,000

Slippery Rock University, Slippery Rock, PA, for Knowledge Pointe at Cranberry Woods, as part of an initiative to provide life-long educational services to Pittsburgh's regional industry and community residents 100,000

Slippery Rock University, Slippery Rock, Pennsylvania, for the North Hills Educational Alliance 100,000

Snead State Community College, Boaz, Alabama, for computers and technology enhancements 70,000

Sonoma State University, Rohnert Park, CA, for communications and laboratory equipment to establish a graduate program in computer and engineering sciences 300,000

South Carolina State Board for Technical and Comprehensive Education, Columbia, SC, for distance learning programs 500,000

South Dakota Board of Regents to upgrade the South Dakota Library Network 500,000

South Piedmont Community College, Polkton, North Carolina, for equipment 400,000

Southampton College, NY, for science equipment and technology upgrades at its Marine Science Center 253,000

Southeast Missouri State University, Cape Girardeau, Missouri, River Campus Initiative 1,200,000

Southern Illinois University, Carbondale, IL, for the Paul Simon Public Policy Institute 1,000,000

Southern New England School of Law, North Dartmouth, MA, to support faculty, staff, and student stipends for the establishment of an immigration clinic 125,000

Southern New Hampshire University in New Hampshire for a distance learning initiative, including the acquisition of technology 500,000

Southern Oregon University, Ashland, Oregon, to create and expand teacher training program and develop a new undergraduate theatre technology curriculum 500,000

Southern University in East Baton Rouge, Louisiana, for infrastructure upgrades such as internet and teleconferencing capabilities 150,000

Southern West Virginia Community and Technical College, Mt. Gay, WV, for personnel, curricula, equipment and technology to expand information technology programs 500,000

Spalding University Online, Louisville, Kentucky, for distance learning program for teacher professional development 50,000

Spoon River College, Canton, IL, for equipment for community technology centers in Canton and Macomb, Illinois 275,000

St . Petersburg College, St. Petersburg, Florida, for Project Eagle online learning program 4,500,000

St John's University to develop curriculum and improve minority recruitment to the pharmacy program 100,000

St. Cloud State University, MN, for nursing education programs 250,000

St. Francis College, Brooklyn, New York, for technology initiative 500,000

St. Mary's College of Maryland, St. Mary's City, MD, for technology upgrades 250,000

Stark State College of Technology, Canton, Ohio, for technology infrastructure 711,000

Stark State College of Technology, Canton, Ohio, to train real-time captioners to provide closed captioning to the deaf and hard-of-hearing 200,000

State University of New York at Potsdam, St. Lawrence County, New York, for Music Educators for New York City for scholarship, program costs and operations, marketing and recruitment and personnel costs 550,000

State University of New York at Purchase, NY, for technical and career counseling, continuing education, curricula, technology, and to enhance services for students with disabilities 800,000

State University of New York Empire State College for Masters of Arts in Teaching Program 250,000

Stonehill College in Easton, Massachusetts, for technology infrastructure and curriculum development 300,000

Suffolk University, Boston, MA, for the John Joseph Moakley Archives and the John Joseph Moakley Institute on Public Policy and Political History 250,000

Temple University, Philadelphia, PA, to develop innovative models to address teacher recruitment, training and mentoring that will enhance student achievement and raise the capabilities of low-performing schools .. 200,000

Texas Southern University, College of Pharmacy and Health Sciences for the establishment of a health professions program 300,000

Texas Southern University, College of Pharmacy and Health Sciences, for their minority engineering program 100,000

Texas Southern University, Houston, TX, for personnel, equipment, student scholarships, and materials for the College of Science and Technology 250,000

Texas State University for teacher retention initiative 250,000

Texas Tech University Center for the Aging in Lubbock, Texas 250,000

The Franciscan University in Clinton, Iowa, for a technology-based undergraduate and graduate teacher training program 1,000,000

Thurgood Marshall Scholarship Fund, New York City, NY, for technology upgrades and capacity building activities at historically black colleges and universities 500,000

Tiffin University, Tiffin, Ohio, for Technology Enhanced Classroom project 500,000

Tri-College Red River Basin Institute in Fargo, North Dakota, for salaries and program costs related to the study of flood damage and natural resource management research 100,000

Trident Technical College, Charleston, South Carolina, to equip the information technology center, electro-mechanical skills laboratory, and the hospitality, tourism and culinary arts program 500,000

Troy State University, Montgomery, Alabama, to expand a virtual university, including technology acquisition, that provides a 24–hour, seven days a week program for military personnel 750,000

Truckee Meadows Community College High Tech Center and Curriculum Initiative in Reno, Nevada, for computer equipment and curriculum support of high tech initiatives and teacher certification programs 400,000

Trustee of Stevens Institute of Technology, Hoboken, New Jersey, for educational and innovative opportunities for undergraduates and graduates 476,000

Tulane University, New Orleans, LA, for technology, faculty fellowships, student internships and educational outreach programs at the AMISTAD Research Center 400,000

Tupelo Public Schools in Mississippi for the CREATE technology innovation challenge grant program 750,000

University of Akron, Ohio, for Exercise in Hard Choices program to help citizens and students understand the Federal budget process 500,000

University of Alabama, Tuscaloosa, Alabama, for acquisition of technology and to upgrade existing information technology infrastructure 200,000

University of Alaska for the INPSYCH Center, to train Alaska Natives as psychologists to practice in Alaskan villages 500,000

University of Alaska, Alaska Department of Education and Alaska State Library for the Alaska Digital Archives and Digital Library to digitize their information resources 400,000

University of Arizona for training and curriculum development at the Program in Integrative Medicine 500,000

University of Arizona, Tucson, AZ, for a national center to train faculty, teaching assistants, and administrators to improve higher education for students with disabilities 300,000

University of Arkansas at Little Rock, AR, for simulation equipment for the CyberCollege Virtual Reality Center 500,000

University of Arkansas, Fayetteville, Arkansas, for National Office for Rural Measurement and Evaluations Systems for technology designed to improve the instructional practices and learning possibilities of children from grades 3–8 500,000

University of California, Merced, CA, for acquisition of science equipment 250,000

University of California, Merced, CA, to establish the Sierra Nevada Research Institute, including student fellowships and internships, software, and equipment 250,000

University of Hartford, CT, for equipment for the Hartt School Performing Arts Education Center 400,000

University of Hawaii at Hilo for an applied rural science program 50,000

University of Idaho Advanced Computing and Modeling Laboratory to provide independent technical expertise and applied research 900,000

University of Illinois College of Medicine, Peoria, Illinois, for technology infrastructure 100,000

University of Louisville—Northern Kentucky University's, Urban University Partnership for Math and Science Teaching for teacher and faculty development programs 1,200,000

University of Maine, School of Applied Science, Engineering & Technology for purchase of equipment and technology 600,000

University of Maryland, College of Education, College Park, MD, for personnel, graduate student stipends, and other expenses for the Maryland Institute for Minority Achievement and Urban Education 500,000

University of Massachusetts-Boston to purchase research equipment and technology infrastructure 1,000,000

University of Memphis Benjamin L. Hooks Institute for Social Change in Memphis, Tennessee, which may include establishing an endowment for such center, for education and community outreach programs 1,000,000

University of Michigan, Ann Arbor, Michigan, for the Gerald R. Ford School of Public Policy 2,000,000

University of Mississippi, Oxford, Mississippi, for the National Archive of Youth Social and Attitudinal Data 450,000

University of Nevada, Las Vegas, to engage college-age women in civic life through voluntarism, careers and informed citizenship. 150,000

University of Nevada, Reno, to upgrade its information technology infrastructure 1,000,000

University of New England Performance Enhancement and Evaluation Center for training opportunities for medical students and practitioners 1,000,000

University of New Mexico, Albuquerque, New Mexico, for Mathematics and Science Teacher Academy for professional development 500,000

University of New Mexico, for a dental education program 200,000

University of North Carolina at Chapel Hill, NC, for personnel, student internships, research, and other expenses to expand technology education and applications through the KnowledgeWorks Institute 225,000

University of North Carolina at Pembroke, NC, for the Southeastern North Carolina Consortium for Teacher Certification, Recruitment, and Retention 100,000

University of Northern Iowa Center for Applied Gerontology for program development 325,000

University of Northern Iowa to expand the 2+2 teacher training program 100,000

University of Oklahoma Health Sciences Center, Oklahoma City, Oklahoma, to further develop its doctoral-level program in bioinformatics 175,000

University of Pacific, Stockton, California, for Eberhardt School of Business 400,000

University of Redlands, Redlands, California and California State University, San Bernardino, California, to enhance their current Arabic and Islamic studies programs 700,000

University of Redlands, Redlands, California, for technology enhancement 700,000

University of Rhode Island, Kingston, RI, for a Center for Sustainable Communities 100,000

University of San Francisco, CA, for education, service and research programs at the Center for Public Service and the Common Good 1,000,000

University of South Florida, Tampa, Florida, for a ''Globalization Research Network'' 1,500,000

University of Southern Colorado Technology for Teaching and Learning, to upgrade and acquire classroom technology in support of improved student learning 900,000

University of Southern Maine, Portland, Maine, for telecommunications and technology upgrades to support science, engineering and advanced technology programs 400,000

University of Texas at Austin, College of Natural Sciences, for faculty development 500,000

University of Texas at Tyler, TX, for distance learning and other programmatic activities, including student support, at the Colleges of Nursing and Health Sciences, and Business and Technology 350,000

University of Virginia, Charlottesville, VA, for Governmental Studies ''Youth Leadership Initiative'' 1,200,000

University of Wisconsin-Eau Claire, Eau Claire, WI, for acquisition of science laboratory equipment 425,000

University of Wisconsin-Rock County, Janesville, WI, for computers and technology upgrades, and science laboratory equipment 100,000

University of Wisconsin-Stevens Point, WI, for the Faculty Alliance for Creating and Expanding Teaching Strategies (FACETS) initiative 500,000

University of Wisconsin-Whitewater, Whitewater, Wisconsin, for technology and personnel 500,000

University of Wyoming for acquisition of technology and equipment 1,700,000

Upper Great Lakes Educational Technologies, Inc., Marquette, MI, for personnel, technology and support costs to design, coordinate and implement ''Operation UP Link'' 400,000

Urban College of Boston in Massachusetts to support higher education program serving low-income and minority students 1,000,000

Utah State University in Utah to improve educational services for all students through distance learning technologies 350,000

Valparaiso University, Valparaiso, IN, for equipment and technology upgrades at its Library and Information Resources Center 550,000

Washington & Lee University in Virginia for the Shepherd Poverty Program 500,000

Washington College, Chestertown, Maryland, Science and Technology Education Initiative	500,000
Washington State University Plateau Center for American Indian Studies for faculty, educational programming and training	100,000
Waubonsee Community College, Sugar Grove, Illinois, for Integrated Systems Technology Program	250,000
West Chester University, West Chester, PA, for technological infrastructure improvements	150,000
West Kentucky Technical College, Paducah, Kentucky, to train court reporting students in captioning	475,000
West Liberty State College in West Virginia to equip its residence halls with internet access	1,700,000
West Los Angeles College, Culver City, CA, for equipment, curricula, faculty, and other expenses to develop an emergency health services training program	425,000
West Virginia High Technology Consortium Foundation, Fairmont, WV, in collaboration with Fairmont State College and DSD Laboratories of West Virginia, to improve computer security curricula and for an information assurance center	225,000
Western Governors University in Salt Lake City, UT, to provide training and certification for educators in Nevada through a joint program with Clark County School District	500,000
Western Governors University, Salt Lake City, Utah, for K–12 Teacher Education Initiative, for program development	500,000
Western Kentucky University's Center for Engineering and Biological Sciences for technology enhancements	1,200,000
Wheeling Jesuit University in West Virginia for the Math and Science Education Initiative	3,600,000
Widener University, Chester, Pennsylvania, for technology infrastructure	500,000
Wisconsin Association of Independent Colleges and Universities for a collaboration project to consolidate administrative operations and information technology	800,000
Wisconsin Indianhead Technical College, Rice Lake, WI, for equipment for a new technology center	300,000
World Learning, School for International Training, Brattleboro, VT, to enhance international studies programs at historically black colleges and universities, including study abroad programs for students and faculty	250,000
York College, York, Nebraska to modernize technological capabilities, including acquisition of technology and equipment	100,000
York College, York, Pennsylvania, for technology upgrades and computers and community programming	350,000
Youngstown State University, OH, for faculty, equipment, student support, and other related expenses to expand a materials engineering/science program	500,000
University of Massachusetts-Boston to purchase research equipment and technology infrastructure	1,000,000

International Education and Foreign Language Studies

Domestic Programs

The conference agreement includes $93,850,000 for the domestic activities of the international education and foreign languages studies programs instead of $85,200,000 as proposed by H.R. 246 and $87,000,000 as proposed by the Senate. The conference agreement will sustain the investments made last year to train experts who have foreign language proficiency and cross-cultural skills in the targeted world areas of Central and South Asia, the Middle East, Russia, and the Independent States of the former Soviet Union, and provide new resources to build foreign language capacity and international expertise in these strategic world areas important to national security interests and other areas, including southeast Asia and Africa.

The conferees are aware that all national resource centers will compete for new awards in fiscal year 2003. The conference agreement includes sufficient funds to increase the average award for the existing number (118) of centers by at least nine percent. The conferees believe that restoring awards that have eroded over the years, thereby enabling each center to implement an effective, multifaceted program of advanced language training, research, technical assistance, and outreach, should be a priority over expanding the number of centers over current levels.

The conference agreement also includes sufficient funds for an additional 87 academic and 70 summer fellowships under the foreign language and area studies fellowships program over the request. These fellowships should be allocated across all world areas, with an emphasis on languages of strategic national importance.

The conference agreement includes sufficient funds for the language resource centers for new K–16 teacher training initiatives in the less commonly taught foreign languages critical to national security, including the development of a strategic plan for teacher training and resource development, a summit on teacher training, professional development through summer institutes for K–16 teachers of Arabic, Azeri, Persian/Dari, Pashto, Uzbek, Urdu and other languages of strategic importance, and assistance to K–16 teachers for the development of web-delivered instructional materials. The conference agreement includes sufficient funds to provide an increase for the centers for international business to address issues relating to homeland security and trade.

In conducting new competitions in all Title VI program areas in fiscal year 2003, the Department should continue to emphasize increased investments in areas of strategic national importance. The conference agreement continues language to allow up to one percent of funds to be used for program evaluation, national outreach, and information dissemination activities.

The conferees are disappointed that the Department has not fully addressed the staffing needs of the Title VI and Fulbright-Hays international education programs. The conferees note that the Department's full-time equivalent (FTE) staffing level will increase by 79 FTE in fiscal year 2003.

Overseas program

The conference agreement provides $13,000,000 for the overseas programs in international education and foreign language studies authorized under section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 as proposed by the Senate instead of $11,800,000 as proposed by H.R. 246. Funding for these programs supports group projects abroad, faculty research abroad, special bilateral projects, and doctoral dissertation research abroad. The additional funding provided over the request should be used to expand research fellowships and group projects abroad in intermediate and advanced language training in newly strategic world areas, and enhance curriculum development and summer seminars abroad for K–12 teachers. The conference agreement continues language allowing section 102(b)(6) funds for individuals planning to apply their advanced language skills in the fields of government, the professions, or international development.

Institute for International Public Policy

The conference agreement includes $1,650,000 for the Institute for International Public Policy instead of $1,500,000 as proposed by both H.R. 246 and the Senate. This program provides a grant to the United Negro College Fund to operate the Institute through sub-grantees chosen among minority-serving institutions. The conferees encourage the Institute to continue a recent emphasis on helping students obtain foreign language competence and international expertise in areas important to national security.

Minority Science and Engineering Improvement

The conference agreement includes $9,000,000 for minority science and engineering improvement instead of $8,500,000 as proposed by H.R. 246 and $9,500,000 as proposed by the Senate.

TRIO

The conference agreement includes $832,500,000 for TRIO as proposed by the Senate instead of $810,000,000 as proposed by H.R. 246.

The conferees are concerned that the regulatory definitions of ''different campus'' and ''different population of participants'' in the Student Support Services Program regulations (34 CFR Part 646.7(c)) are so narrowly crafted that the definitions undermine Congressional intent and prohibit many geographically separate institutions from applying for TRIO funding and, thus, prohibit the expansion of educational opportunities for more low-income and minority students.

The conferees direct the Department to review these regulatory definitions and make the appropriate changes so that more institutions of higher education, particularly

those that have large numbers of low-income students enrolled at various campuses, will have the ability to apply for TRIO grants and serve more eligible students who need TRIO services.

GEAR UP

The conference agreement includes $295,000,000 for GEAR UP as proposed by the Senate instead of $285,000,000 as proposed by H.R. 246.

Teacher Quality Enhancement Grants

The conference agreement also includes $90,000,000 for Teacher Quality Enhancement Grants as proposed by the Senate instead of $100,000,000 as proposed by H.R. 246.

Child Care Access Means Parents in School

The conference agreement includes $16,300,000 for the child care access program as proposed by the Senate instead of $15,000,000 as proposed by H.R. 246.

Other higher education programs

The conference agreement includes $7,000,000 for Demonstrations in Disability as proposed by the Senate. H.R. 246 did not include separate funding for this activity. The conference agreement includes $2,250,000 for the Underground Railroad Educational and Cultural Program instead of $2,500,000 as proposed by the Senate and $2,000,000 as proposed by H.R. 246. The conference agreement also includes $5,000,000 for Thurgood Marshall Scholarships as proposed by the Senate instead of $4,000,000 as proposed by H.R. 246 and $1,000,000 for Olympic Scholarships as proposed by H.R. 246. The Senate bill did not provide funding for this program.

HOWARD UNIVERSITY

The conference agreement includes $240,000,000 for Howard University as proposed by H.R. 246 instead of $239,974,000 as proposed by the Senate.

INSTITUTE OF EDUCATION SCIENCES

The conference agreement includes $450,887,000 for the Institute of Education Sciences instead of $397,887,000 as proposed by H.R. 246 and $397,387,000 as proposed by the Senate.

The conferees provide $140,000,000 for research as proposed by H.R. 246 instead of $89,500,000 as proposed by the Senate. Within this total, the conference agreement includes $19,635,000 in continuation funding for comprehensive school reform evaluation, research, model development and dissemination activities as requested by the Department.

The conferees strongly support the premise that developing, identifying and implementing scientifically based research is critical to the success of the No Child Left Behind Act and to the increased effectiveness generally of education programs and interventions. In particular, the conferees believe that a greater focus must be placed on the use of randomized controlled trials, longitudinal studies, and other research that meets the standards set by the National Research Council. The development of an enhanced research infrastructure will help build a base of research-proven interventions that can be used by educational institutions to help improve the educational outcomes of our nation's student population. The conferees have provided an additional $18,183,000 above last year to continue building the nation's educational research infrastructure. The conferees note that there is a lack of scientifically based education research, such as randomized research trials.

The conferees provide $90,000,000 for statistics instead of $95,000,000 as proposed by H.R. 246 and $87,000,000 as proposed by the Senate.

The conference agreement also includes $58,000,000 to continue multi-year grants and contracts for Comprehensive Regional Assistance Centers, Regional Math and Science Education Consortia, the Math and Science Clearinghouse, and Technology-based technical assistance as proposed by the Senate. H.R. 246 did not include funding for these activities.

The conferees are concerned with recent statistics that show that more than 20 million children experience reading failure. According to the National Center for Education Statistics, almost 40% of America's fourth graders suffer with reading difficulties. It has been brought to the attention of the conferees that the Haan Reading Institute has developed a national research project to measure the effectiveness of selected remedial reading programs and their ability to normalize reading skills for children in the late elementary and early secondary grades. The information derived from this research will be used by parents, teachers and policymakers to understand the different reading profiles of children and to determine which instructional methods work best for whom. The conferees encourage the Department to give consideration to this research project.

DEPARTMENTAL MANAGEMENT

The conference agreement includes $412,545,000 for Departmental program administration instead of $412,093,000 as proposed by the Senate and $411,795,000 as proposed by H.R. 246.

The conferees are concerned about the delay applicants are experiencing in receiving awards under grant programs and therefore request that the Department provide a report within 60 days of enactment of this bill on the steps that it can take to reduce the delay in administering grant competitions.

The conferees have included $750,000 to provide all Title IV institutions that are eligible for funding with a handbook providing detailed instruction on compliance with section 485(f) of the Higher Education Act of 1965, relating to campus crime statistics.

GENERAL PROVISIONS

READING FIRST SUPPLEMENT NOT SUPPLANT

The conference agreement includes an amendment to the Elementary and Secondary Education Act of 1965 to insert a supplement not supplant requirement in the Reading First program as proposed by the Senate. H.R. 246 contained no similar language.

NEW YORK CITY TITLE I DISTRIBUTION

The conference agreement does not include language relating to a new distribution of Title I funding within New York City as proposed by the Senate. H.R. 246 contained no similar language.

ALASKA NATIVE PROGRAMS

The conference agreement does not include an amendment to the No Child Left Behind Act of 2001 to allow construction funding for Alaska Native programs as proposed by the Senate. H.R. 246 contained no similar language.

HAWAIIAN EDUCATION PROGRAMS

The conference agreement does not include an amendment to the No Child Left Behind Act of 2001 to allow construction, renovation and modernization funding for any school run by the Department of Education of the State of Hawaii that serves a predominantly Native Hawaiian student body. H.R. 246 contained no similar provision.

FUNDING FOR INNOVATIVE PROGRAMS

The conference agreement does not include an additional $5,000,000,000 to be distributed according to the formulas for the Innovative Education Block Grant program and to be used by States and school districts to carry out any activity authorized under the Elementary and Secondary Education Act, IDEA or the Higher Education Act as proposed by the Senate. H.R. 246 contained no similar provision.

IDEA FUNDING

The conference agreement does not include an additional $1,500,000,000 for IDEA through additional advance appropriations as proposed by the Senate. H.R. 246 contained no similar provision.

SENSE OF THE SENATE ON AFTER-SCHOOL FUNDING

The conference agreement deletes without prejudice a Sense of the Senate that every effort should be made to fund the after-school programs at the level authorized in the No Child Left Behind Act as proposed by the Senate. H.R. 246 contained no similar provision.

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

The conference agreement includes $68,013,000 for the Armed Forces Retirement Home instead of $67,340,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

The conferees have also agreed to include provisions relating to contracts for development and construction as proposed by the Senate. H.R. 246 contained no similar provisions.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

The conference agreement includes $356,205,000 for the Domestic Volunteer Service programs instead of $350,331,000 as proposed by H.R. 246 and $351,063,000 as proposed by the Senate.

Volunteers in Service to America (VISTA)

The conference agreement includes $94,287,000 for VISTA as proposed by the Senate instead of $94,155,000 as proposed by H.R. 246.

Volunteers in Homeland Security

The conference agreement includes $10,000,000 for Volunteers in Homeland Security as proposed by the Senate instead of $5,000,000 as proposed by H.R. 246. Of this total, up to $5,000,000 is available to support the Parent Drug Corps program.

National Senior Volunteer Corps

The conference agreement includes $111,500,000 for the Foster Grandparent Program (FGP) as proposed by H.R. 246 instead of $106,700,000 as proposed by the Senate.

One-third of the increases provided for the FGP, SCP, and RSVP programs shall be used to fund Programs of National Significance expansion grants to allow existing FGP, RSVP and SCP programs to expand the number of volunteers serving in areas of critical need as identified by Congress in the Domestic Volunteer Service Act.

Sufficient funding has been included to provide an increase for administrative costs realized by all current grantees in the FGP, SCP and RSVP programs. Funds remaining above these amounts should be used to begin new FGP, RSVP and SCP programs in geographic areas currently unserved. The conferees expect these projects to be awarded via a nationwide competition among potential community-based sponsors.

The Corporation for National and Community Service shall comply with the directive that use of funding increases in the Foster Grandparent Program, Retired and Senior Volunteer Program and VISTA not be restricted to America Reads activities. The conferees further direct that the Corporation

shall not stipulate a minimum or maximum amount for PNS grant augmentations.

The conference agreement includes $400,000 for senior demonstration activities as proposed by both the Senate. These funds are to be used solely to carry out evaluations and to provide recruitment, training, and technical assistance to local projects as described in the budget request. No new demonstration projects may be begun with these funds. None of the increases provided for FGP, SCP, or RSVP in fiscal year 2003 may be used for demonstration activities.

Funds appropriated for fiscal year 2003 may not be used to implement or support service collaboration agreements or any other changes in the administration and/or governance of national service programs prior to passage of a bill by the authorizing committees of jurisdiction specifying such changes.

Program Administration

The conference agreement includes $34,571,000 for program administration instead of $34,229,000 as proposed by both H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

CORPORATION FOR PUBLIC BROADCASTING

The conference agreement provides $390,000,000 in funding for fiscal year 2005, instead of $380,000,000 as proposed by H.R. 246 and $395,000,000 as proposed by the Senate.

The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

The conferees strongly urge the CPB to allocate not less than $100,000 to the 14 public radio stations around the nation that provide the sole source of radio news and information in their communities. The additional funds would permit these stations to extend their broadcast hours and improve service to their listeners.

The conference agreement also includes $48,744,000 for equipment and facilities to enable public broadcasters to meet the statutory deadline for digital conversion as proposed by the Senate instead of $25,000,000 as proposed by H.R. 246.

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

The conference agreement includes $41,425,000 for the Federal Mediation and Conciliation Service (FMCS) instead of $40,718,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses. Included in the total appropriation is $300,000 to be used for FMCS to continue their work to prevent youth violence by teaching students mediation and conflict resolution techniques.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $7,178,000 for the Federal Mine Safety and Health Review Commission rather than $7,127,000 as proposed by both H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

The conference agreement provides $245,485,000 for the Institute of Museum and Library Services instead of $210,000,000 as proposed by H.R. 246 and $203,000,000 as proposed by the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses. Within the amount provided, $10,000,000 is available until expended for Recruiting and Educating Librarians for the 21st Century Initiative. The conference agreement also specifies funding for the following:

Abington Art Center, Jenkintown, PA, for a work-study program for at-risk junior and high school students	$25,000
Aleutian World War II Museum in Alaska for interactive media display	100,000
Allentown Art Museum, Allentown, PA, for educational programs for 25 school districts in 7 PA counties.	75,000
Alley Pond Environmental Center, Douglaston, NY, for environmental education programs	25,000
American Village Project in Montevallo, Alabama	500,000
Army Aviation Heritage Foundation in Ozark, Alabama for educational programs	100,000
Arts Council of New Orleans	175,000
Asian Art Museum, San Francisco, CA, for exhibits and education programs	500,000
Berkshire Museum, Pittsfield, MA, for climate control systems to preserve collections	575,000
Bishops Museum in Honolulu, Hawaii	400,000
Boston Public Library Foundation, Boston, MA, for preservation and enhancement of the John Adams Presidential Library and for related educational programs	400,000
Bowers Museum, City of Santa Ana, CA, for education programs, publications and technology	250,000
Brooklyn Children's Museum, Brooklyn, NY, for equipment and technology, exhibits and education programs	500,000
Butler Area Public Library, PA for program enhancements	100,000
California State University, San Marcos, to upgrade electronic catalog and to provide computer stations for the library	275,000
Cape Cod Maritime Museum to develop exhibits and academic programs	175,000
Carnegie Library of Pittsburgh, PA, to purchase library materials and upgrade technology at the East Liberty Branch Library	200,000
Carnegie Library, Union Springs, Alabama for program development	250,000
Chicago State University Gwendolyn Brooks Center to expand its repository of the literary works of Gwendolyn Brown	75,000
Chickasaw Cultural Center in Chickasaw, Oklahoma	100,000
Children's Museum of Manhattan, New York, NY, to establish early childhood education programs and exhibits	100,000
Children's Museum of Stockton, Stockton, California, for a Delta Region Exhibit	100,000
City of Abilene, TX, for the collection and display of artifacts, and for exhibits at the Texas Forts Trail Museum	100,000
City of Anatuvik Pass Museum in Alaska for museum exhibits	50,000
City of Dallas, TX, Dallas Public Library, to establish ''Teen Wise Centers'' for at-risk youth	200,000
Clark County Heritage Center, Springfield, Ohio, for technology upgrades and exhibit development	150,000
Cleveland Health Museum, Ohio, for exhibits	250,000
Commonwealth Zoological Corporation (Zoo New England), Boston, MA, for the ''Living Classroom'' science education program and for outreach	400,000
Davenport Music History Museum in Davenport, IA	800,000
Dayton Aviation Heritage National Historical Park in Ohio for education and cultural programs	300,000
Delaware and Lehigh National Heritage Corridor, Easton, PA, to establish a National Museum of Industrial History in Bethlehem, Pennsylvania, to display a repository of industrial machines, equipment and technology of the 19th and 20th centuries focusing on steel	75,000
Delaware County Historical Society, Media, PA, to develop and expand educational programs highlighting historical themes and sites relating to Delaware County	75,000
Discovery Center, Springfield, Missouri	2,200,000
Downtown Chambersburg, Inc., PA	250,000
Eleanor Roosevelt's Papers at George Washington University for related program development	50,000
Exploris Museum, for the Global Awareness Program, including exhibits, a film program, and educational programs	100,000
Fine Arts Museums of San Francisco to expand educational programming and technology improvements at the de Young Museum	100,000
Florida International Museum, St. Petersburg, Florida, Centennial Russian Museum Exhibit	1,000,000
Franklin Institute, Philadelphia, PA, for exhibits, professional development and educational programming to students to explore bioscience and biotechnology	200,000

Frederick C. Crawford Museum of Transportation Industry, Cleveland, Ohio, for educational programming, planning and exhibits 200,000

Fresno Metropolitan Museum of Art, History and Science, Fresno, CA, for technology, exhibits, educational and outreach programs and a science-based exhibition and learning center 900,000

Gadsden Museum of Art in Alabama for museum programs 100,000

George Eastman House, Rochester, NY, for the ''Picture Link'' project .. 278,000

Georgia Hall of Fame at Museum of Aviation in Warner Robins, Georgia for educational activities and programs 100,000

Glendale Public Library, Glendale, CA, for personnel, equipment and other expenses to implement the Homework AssisTeens program 62,000

Hesperia Community Library, Hesperia, California, to purchase library materials and upgrade technology 200,000

Historical Society of Western PA for exhibits in conjunction with the 250th anniversary of the French and Indian War ... 150,000

Holmdel Township Library, Monmouth County, NJ, for technology equipment and ugrades 250,000

Hudson Waterfront Museum, Brooklyn, NY, to expand exhibits, education, arts and outreach programs 25,000

Huntsville Museum of Art, Huntsville, AL, for exhibits and educational programs 200,000

Imaginarium Science Center in Anchorage, Alaska to develop science exhibits and distance delivery modules 50,000

Interboro Public Library, PA for library programs 150,000

International Wolf Center, Minneapolis, MN, for education, outreach, and teacher training programs 150,000

Iowa Radio Reading Information Service (IRRIS) .. 300,000

Italian-American Cultural Center of Iowa in Des Moines, IA for exhibits, multi-media collections, and displays 150,000

Kendall County Forest Preserve District, Yorkville, Illinois, for the consolidation and preservation of the collection at the Old Barn Museum 500,000

Kent State University, Kent, Ohio, for an Institute for Library and Information Literacy Education project 2,000,000

Kodiak Maritime Museum in Alaska 50,000

Lafayette College, Easton, PA, for technology updates to the Skillman Library 150,000

Leon County, FL, for purchase of equipment and books for the Ft. Braden Branch Library 375,000

Lewis and Clark College Bicentennial Hall in Portland, Oregon for program and equipment support 300,000

MacKay Library of Union County, Cranford, New Jersey 300,000

Magic Library in Kirkwood, Missouri for design and development of interactive exhibits and software 75,000

Marion County Library, Marion, SC, to establish a computer lab 50,000

McKinley Museum, Canton, Ohio, for equipment 45,000

Mexic-Arte Museum, Austin, Texas 200,000

Middletown Township Public Library, Monmouth County, NJ, for technology equipment and upgrades 250,000

Monterey County Youth Museum, Monterey, CA, for interactive mobile exhibits and educational programs 300,000

Museum of African Art, New York, NY, for exhibits and educational programs 250,000

National Baseball Hall of Fame and Museum, Cooperstown, New York for educational outreach using baseball to teach students through distance learning technology 750,000

National Civil War Museum, Harrisburg, PA, to develop and enhance educational exhibits and programs for area K–12 schools focusing on U.S. Civil War history 300,000

National Cowgirl Museum and Hall of Fame, Fort Worth, Texas, for creation of and equipment for an audio tour of the permanent exhibition 90,000

National Liberty Museum, Philadelphia, PA, to institute a teacher-training program which will assist educators in responding to classroom challenges and establish a pilot program to address violence in schools 325,000

National Mississippi River Museum and Aquarium in Dubuque, IA 650,000

National Museum of Women in the Arts, Washington, D.C. 1,500,000

Native American Cultural and Educational Authority, Oklahoma City, Oklahoma, for exhibits for the museum 775,000

Natural History Museum of Los Angeles, CA, for its ''Earth Odyssey'' environmental science program 75,000

Nevada State Historic Preservation Office 350,000

New York Botanical Garden's Virtual Herbarium imaging project in Bronx, New York 500,000

New York Hall of Science to develop, expand, and display science-related educational materials. ... 1,000,000

North Carolina State Museum of Natural Sciences, Raleigh, NC, for development of environmental exhibits and educational programs 300,000

North Dakota Lewis and Clark Bicentennial Foundation in Washburn, North Dakota, for exhibits and other interpretation 250,000

Ogden Museum of Southern Art in New Orleans, LA .. 250,000

Oneonta City Library, Blount County, Alabama, for books, internet, audiovisual and reading aids 90,000

Orangevale Library, Sacramento, California, for evaluation and analysis of existing library service, program and facilities 200,000

Pennsylvania Trolley Museum for exhibit development and educational programs 400,000

Pittsburgh Children's Museum, Pittsburgh, PA, to develop and enhance educational exhibits and programs for area K–12 schools 221,000

Please Touch Museum, Philadelphia, PA, to develop educational programs focusing on hands-on learning experiences. 725,000

Rivertownes PA USA 75,000

Rock and Roll Hall of Fame and Museum, Cleveland, OH, for music education programs for at-risk youth 350,000

Rutgers, the State University of New Jersey, New Brunswick, NJ, to catalog, organize and preserve collections at the Carey Library 250,000

San Bernardino County Museum, California, to develop the Inland Empire Archival Heritage Center and Web Module .. 500,000

Schoharie Free Library in Schoharie County, New York to purchase books and equipment 50,000

Science Center of Pinellas County, Inc., St. Petersburg, Florida for a planetarium project 155,000

Shaker Museum and Library, Old Chatham, New York 450,000

Simon Wiesenthal Center's Los Angeles Museum for Tolerance, Los Angeles, CA, for the Tools for Tolerance for Educators program to provide teacher training in diversity, tolerance and cooperation .. 100,000

Smith Robertson Museum in Jackson, Mississippi for the development of exhibits regarding civil rights	150,000
St. Paul Public Library, MN, to expand its School Work and Mentoring Place Program and its Small Business Resource Center	25,000
Standing Bear Museum and Learning Center in Ponca City, Oklahoma	200,000
State Historical Society of Iowa for Civil War flag restoration	75,000
State Historical Society of Iowa in Des Moines, Iowa for the development of exhibits for the World Food Prize	1,000,000
State Theater of Easton, Easton, PA, for technological infrastructure improvements and the development of educational programming	100,000
The International Storytelling Center in Jonesborough, Tennessee	125,000
The Museum of Science and Industry, Chicago, IL, for exhibits, education and outreach programs	250,000
Tillamook County Library, Oregon, for modernization of library services	70,000
Union City Public Library, NJ, for personnel, books and technology to improve library services for low-income individuals	200,000
Union County Historical Society & Heritage Museum in Mississippi for exhibit and program development	100,000
University of Idaho for digital archiving	400,000
University of Maine at Fort Kent to house the Acadian Archives which preserve, celebrate and disseminate information about the region's history	200,000
Vietnam Archive Center, Texas Tech University, Lubbock, Texas, for digitization	400,000
Virginia Living Museum for the expansion of its educational programs in its capital campaign project	150,000
Wayne Art Center, Wayne, PA, to develop programs in partnership with area K–12 schools for teacher training workshops and specialized workshops for students	50,000
Westchester Library System, Ardsley, NY, for its digital divide online services project	100,000
Whitney Museum of American Art to establish a touring exhibition program in Iowa	450,000
Whittier Public Library, City of Whittier, CA, to establish a children's homework center and family literacy center	300,000
Willet Memorial Library in Macon, Georgia for library enhancements	100,000
Witte Museum of San Antonio, TX, to develop the ''American Originals'' exhibit and educational programs	150,000
Zimmer Children's Museum of Jewish Community Centers of Greater Los Angeles, Los Angeles, CA, for the expansion of the YouThink program	100,000
Zoological Society of Philadelphia, PA, for educational programs for elementary and secondary students	100,000
St. Louis Children's Museum, MO	500,000

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $8,585,000 for the Medicare Payment Advisory Commission, instead of $8,250,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

The conference agreement provides $1,010,000 for the National Commission on Libraries and Information Science instead of $1,000,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

The conference agreement includes $2,858,000 for the National Council on Disability, instead of $2,830,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

The conference agreement provides $238,982,000 for the National Labor Relations Board instead of $226,618,000 as proposed by H.R. 246 or $238,223,000 as proposed by the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

The conference agreement includes $11,315,000 for the National Mediation Board, instead of $11,203,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $9,673,000 for the Occupational Safety and Health Review Commission instead of $9,577,000 as proposed by both H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

RAILROAD RETIREMENT BOARD LIMITATION ON ADMINISTRATION

The conference agreement includes $100,000,000 for the Railroad Retirement Board Limitation on Administration Expenses, as proposed by H.R. 246 instead of $97,720,000 as proposed by the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

Given that trust funds are collected from railroad workers for the specific purpose of maintaining and administering a retirement fund, the conferees believe that trust funds should not be used for the purpose of paying rent in excess of actual cost. Therefore, no funds have been included for that purpose.

RAILROAD RETIREMENT BOARD LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

The conference agreement includes a limitation on transfers from the railroad trust funds of $6,363,000 for administrative expenses of the Office of Inspector General instead of $6,300,000 as proposed by H.R. 246 and the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

The conferees do not include language proposed by the Senate that allows the Office of the Inspector General to conduct audits, investigations, and reviews of the Medicare programs. H.R. 246 contained no similar provision.

SOCIAL SECURITY ADMINISTRATION

SUPPLEMENTAL SECURITY INCOME PROGRAM

The conference agreement includes $24,025,392,000 for the Supplemental Security Income Program as proposed by the Senate instead of $24,017,392,000 as proposed by H.R. 246. Within the funds provided, the conference agreement includes $8,000,000 as proposed by the Senate for outreach efforts and assistance to homeless persons and other underserved populations.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

The conference agreement provides $16,362,000 for the United States Institute of Peace instead of $15,104,000 as proposed by H.R. 246 and $16,200,000 as proposed by the Senate. The conferees have included sufficient funds to offset the effects of the across-the-board cut on salaries and expenses.

TITLE V—GENERAL PROVISIONS

TRANSFER PROHIBITION

The conference agreement includes a provision prohibiting the transfer of any funds to any department, agency or instrumentality of the U.S. Government except by a transfer made in this or any other appropriation act as proposed by H.R. 246. The Senate bill contained no similar provision.

UNITED STATES INSTITUTE OF PEACE

The conference agreement includes a provision proposed by the Senate pertaining to the date on or before which an independent public accountant must be certified or licensed to perform the annual audit of the United States Institute of Peace (USIP). The conference agreement does not include a provision proposed by the Senate that extends the authorization of the USIP for one additional year. H.R. 246 did not contain similar provisions.

ACROSS-THE-BOARD SALARIES AND EXPENSES REDUCTION

The conference agreement does not include a provision proposed by the Senate to reduce salaries and expenses of the Departments of Labor, Health and Human Services, and Education. The House bill contained no similar provision.

CONFERENCE AGREEMENT

The following table displays the amounts agreed to for each program, project or activity with appropriate comparisons:

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
TITLE I - DEPARTMENT OF LABOR										
EMPLOYMENT AND TRAINING ADMINISTRATION										
TRAINING AND EMPLOYMENT SERVICES										
Grants to States:										
Adult Training, current year	238,000	188,000	188,000	188,000	188,000	-50,000	---	---	D	FF
Advance from prior year	(712,000)	(712,000)	(712,000)	(712,000)	(712,000)	---	---	---	NA	
FY 2004	712,000	712,000	712,000	712,000	712,000	---	---	---	D	
Adult Training	950,000	900,000	900,000	900,000	900,000	-50,000	---	---		
Youth Training	1,127,965	1,000,965	1,045,465	1,000,965	1,000,965	-127,000	-44,500	---	D	FF
Dislocated Worker Assistance 1/	281,200	258,432	359,892	258,432	309,162	+27,962	-50,730	+50,730	D	FF
Advance from prior year	(848,000)	(848,000)	(848,000)	(848,000)	(848,000)	---	---	---	NA	
FY 2004	848,000	848,000	848,000	848,000	848,000	---	---	---	D	
Dislocated Worker Assistance	1,129,200	1,106,432	1,207,892	1,106,432	1,157,162	+27,962	-50,730	+50,730		
Federally Administered Programs:										
Dislocated Worker Assistance Nat'l reserve 1/	30,300	125,073	64,608	64,608	94,608	+64,308	+30,000	+30,000	D	FF
Advance from prior year	(212,000)	(212,000)	(212,000)	(212,000)	(212,000)	---	---	---	NA	
FY 2004	212,000	212,000	212,000	212,000	212,000	---	---	---	D	
Dislocated Worker Assistance Nat'l Reserve	242,300	337,073	276,608	276,608	306,608	+64,308	+30,000	+30,000		
Total, Dislocated Worker Assistance	1,371,500	1,443,505	1,484,500	1,383,040	1,463,770	+92,270	-20,730	+80,730		
Native Americans	57,000	55,000	55,000	57,000	56,000	-1,000	+1,000	-1,000	D	FF
Migrant and Seasonal Farmworkers	79,751	---	74,900	79,751	77,326	-2,425	+2,426	-2,425	D	FF
Job Corps:										
Operations	737,357	813,610	800,000	800,000	800,000	+62,643	---	---	D	FF
Advance from prior year	(591,000)	(591,000)	(591,000)	(591,000)	(591,000)	---	---	---	NA	
FY 2004	591,000	591,000	591,000	591,000	591,000	---	---	---	D	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
Construction and Renovation	30,375	27,550	27,550	27,550	27,550	-2,825	---	---	D	FF
Advance from prior year	(100,000)	(100,000)	(100,000)	(100,000)	(100,000)	---	---	---	NA	
FY 2004	100,000	100,000	100,000	100,000	100,000	---	---	---	D	
Subtotal, Job Corps, program level	1,458,732	1,532,160	1,518,550	1,518,550	1,518,550	+59,818	---	---		
National Activities:										
Pilots, Demonstrations and Research	130,149	35,000	35,000	55,161	76,351	-53,798	+41,351	+21,190	D	FF
Responsible Reintegration of Youthful Offender	55,000	---	---	55,000	55,000	---	+55,000	---	D	FF
Evaluation	9,098	9,098	9,098	9,098	9,098	---	---	---	D	FF
Youth Opportunity Grants	225,100	44,500	---	44,500	44,500	-180,600	+44,500	---	D	FF
Other	16,019	15,000	15,000	16,019	15,510	-509	+510	-509	D	FF
Subtotal, National activities	435,366	103,598	59,098	179,778	200,459	-234,907	+141,361	+20,681		
Subtotal, Federal activities	2,273,149	2,027,831	1,984,156	2,111,687	2,158,943	-114,206	+174,787	+47,256		
Current Year	1,370,149	1,124,831	1,081,156	1,208,687	1,255,943	-114,206	+174,787	+47,256		
FY 2004	903,000	903,000	903,000	903,000	903,000	---	---	---		
Total, Workforce Investment Act	5,480,314	5,035,228	5,137,513	5,119,084	5,217,070	-263,244	+79,557	+97,986		
Current Year	3,017,314	2,572,228	2,674,513	2,656,084	2,754,070	-263,244	+79,557	+97,986		
FY 2004	2,463,000	2,463,000	2,463,000	2,463,000	2,463,000	---	---	---		
Women in Apprenticeship	1,000	1,000	1,000	1,000	1,000	---	---	---	D	
Skill Standards	3,500	---	---	---	---	-3,500	---	---	D	
Subtotal, National activities, TES	439,866	104,598	60,098	180,778	201,459	-238,407	+141,361	+20,681		
Subtotal, Training and Employment Services	5,484,814	5,036,228	5,138,513	5,120,084	5,218,070	-266,744	+79,557	+97,986		
Current Year	(3,021,814)	(2,573,228)	(2,675,513)	(2,657,084)	(2,755,070)	(-266,744)	(+79,557)	(+97,986)		
FY 2004	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---		
COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS	445,100	440,200	440,200	440,200	445,200	+100	+5,000	+5,000	D	FF
WORKERS COMPENSATION PROGRAMS	175,000	---	---	---	---	-175,000	---	---	D	
FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES										
Trade Adjustment	349,500	871,250	972,200	972,200	972,200	+622,700	---	---	M	
NAFTA Activities	66,150	---	---	---	---	-66,150	---	---	M	
Total	415,650	871,250	972,200	972,200	972,200	+556,550	---	---		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS										
Unemployment Compensation:										
State Operations	2,403,319	2,658,288	2,641,488	2,641,488	2,641,488	+238,169	---	---	TF	
National Activities	10,000	10,000	10,000	10,000	10,000	---	---	---	TF	
Emergency Repsonse Funds	4,100	---	---	---	---	-4,100	---	---	D	
Subtotal, Unemployment Compensation	2,417,419	2,668,288	2,651,488	2,651,488	2,651,488	+234,069	---	---		
Employment Service:										
Allotments to States:										
Federal Funds	23,452	23,452	23,452	23,452	23,452	---	---	---	D	
Trust Funds	773,283	773,283	773,283	773,283	773,283	---	---	---	TF	
Subtotal	796,735	796,735	796,735	796,735	796,735	---	---	---		
ES National Activities	50,680	29,120	50,680	50,680	50,680	---	---	---	TF	
Subtotal, Employment Service	847,415	825,855	847,415	847,415	847,415	---	---	---		
Federal Funds	23,452	23,452	23,452	23,452	23,452	---	---	---		
Trust Funds	823,963	802,403	823,963	823,963	823,963	---	---	---		
One-Stop Career Centers/Labor Market Information	120,000	113,000	100,000	100,000	100,000	-20,000	---	---	D	
Work Incentives Grants	20,000	20,000	20,000	20,000	20,000	---	---	---	D	FF
Total, State Unemployment & Employment Srvcs	3,404,834	3,627,143	3,618,903	3,618,903	3,618,903	+214,069	---	---		
Federal Funds	167,552	156,452	143,452	143,452	143,452	-24,100	---	---		
Trust Funds	3,237,282	3,470,691	3,475,451	3,475,451	3,475,451	+238,169	---	---		
ADVANCES TO THE UI AND OTHER TRUST FUNDS 2/	464,000	463,000	463,000	463,000	463,000	-1,000	---	---	M	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
PROGRAM ADMINISTRATION									
Adult Employment and Training	34,076	37,090	42,620	39,090	42,603	+8,527	-17	+3,513	D
Trust Funds	2,887	7,438	2,973	2,973	4,271	+1,384	+1,298	+1,298	TF
Youth Employment and Training	37,603	38,947	38,947	40,858	38,944	+1,341	-3	-1,914	D
Employment Security	5,867	6,051	6,051	6,051	6,048	+181	-3	-3	D
Trust Funds	44,216	45,586	45,586	51,586	47,907	+3,691	+2,321	-3,679	TF
Apprenticeship Services	21,406	20,836	20,836	22,036	20,834	-572	-2	-1,202	D
Executive Direction	7,526	8,286	8,286	8,286	8,284	+758	-2	-2	D
Trust Funds	1,404	2,051	2,051	2,051	2,050	+646	-1	-1	TF
Welfare to Work	5,903	4,711	4,711	4,711	4,711	-1,192	---	---	D
Subtotal, Program Administration	160,888	170,996	172,061	177,642	175,652	+14,764	+3,591	-1,990	
Federal Funds	112,381	115,921	121,451	121,032	121,424	+9,043	-27	+392	
Trust Funds	48,507	55,075	50,610	56,610	54,228	+5,721	+3,618	-2,382	
Total, Employment and Training Administration	10,550,286	10,608,817	10,804,877	10,792,029	10,893,025	+342,739	+88,148	+100,996	
Federal Funds	7,264,497	7,083,051	7,278,816	7,259,968	7,363,346	+98,849	+84,530	+103,378	
Current Year	(4,801,497)	(4,620,051)	(4,815,816)	(4,796,968)	(4,900,346)	(+98,849)	(+84,530)	(+103,378)	
FY 2004	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---	
Trust Funds	3,285,789	3,525,766	3,526,061	3,532,061	3,529,679	+243,890	+3,618	-2,382	
PENSION AND WELFARE BENEFITS ADMINISTRATION									
Enforcement and Compliance	85,140	92,125	92,125	92,125	92,125	+6,985	---	---	D
Policy, Regulation and Public Service	19,594	20,575	20,575	20,575	20,575	+981	---	---	D
Program Oversight	5,736	4,344	4,344	4,344	4,344	-1,392	---	---	D
Total, PWBA	110,470	117,044	117,044	117,044	117,044	+6,574	---	---	
PENSION BENEFIT GUARANTY CORPORATION									
Program Adm. subject to limitation (TF)	11,567	13,050	13,050	13,050	13,050	+1,483	---	---	TF
Termination services not subject to limitation (NA)	(178,924)	(179,844)	(179,844)	(179,844)	(179,844)	(+920)	---	---	NA
Total, PBGC (Program level)	(190,491)	(192,894)	(192,894)	(192,894)	(192,894)	(+2,403)	---	---	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
EMPLOYMENT STANDARDS ADMINISTRATION									
SALARIES AND EXPENSES									
Enforcement of Wage and Hour Standards	155,378	155,387	155,387	157,387	156,887	+1,509	+1,500	-500	D
Office of Labor-Management Standards	30,607	34,503	34,503	34,503	34,503	+3,896	---	---	D
Federal Contractor EEO Standards Enforcement	77,582	77,544	77,544	79,544	78,544	+962	+1,000	-1,000	D
Federal Programs for Workers' Compensation	91,213	96,975	96,975	97,675	97,325	+6,112	+350	-350	D
FECA Fees	---	-86,442	---	---	---	---	---	---	D
Trust Funds	1,970	2,029	2,029	2,029	2,029	+59	---	---	TF
Program Direction and Support	13,031	14,319	14,319	14,319	14,319	+1,288	---	---	D
Total, ESA salaries and expenses	369,781	294,315	380,757	385,457	383,607	+13,826	+2,850	-1,850	
Federal Funds	367,811	292,286	378,728	383,428	381,578	+13,767	+2,850	-1,850	
Trust Funds	1,970	2,029	2,029	2,029	2,029	+59	---	---	
SPECIAL BENEFITS									
Federal employees compensation benefits	118,000	160,000	160,000	160,000	160,000	+42,000	---	---	M
Longshore and harbor workers' benefits	3,000	3,000	3,000	3,000	3,000	---	---	---	M
Total, Special Benefits	121,000	163,000	163,000	163,000	163,000	+42,000	---	---	
ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND									
Program Benefits	(769,000)	(758,000)	(758,000)	(758,000)	(758,000)	(-11,000)	---	---	NA
Administrative Expenses	130,665	104,867	104,867	104,867	104,867	-25,798	---	---	M

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
BLACK LUNG DISABILITY TRUST FUND									
Benefit payments and interest on advances	981,283	979,371	979,371	979,371	979,371	-1,912	---	---	M
Employment Standards Adm. S&E	31,321	31,987	31,987	31,987	31,987	+666	---	---	M
Departmental Management S&E	22,590	22,952	22,952	22,952	22,952	+362	---	---	M
Departmental Management, Inspector General	328	334	334	334	334	+6	---	---	M
Subtotal, Black Lung Disablty	1,035,522	1,034,644	1,034,644	1,034,644	1,034,644	-878	---	---	
Treasury Adm. Costs	356	356	356	356	356	---	---	---	M
Total, Black Lung Disability Trust Fund	1,035,878	1,035,000	1,035,000	1,035,000	1,035,000	-878	---	---	
Total, Employment Standards Administration	1,657,324	1,597,182	1,683,624	1,688,324	1,686,474	+29,150	+2,850	-1,850	
Federal Funds	1,655,354	1,595,153	1,681,595	1,686,295	1,684,445	+29,091	+2,850	-1,850	
Trust Funds	1,970	2,029	2,029	2,029	2,029	+59	---	---	
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Safety and Health Standards	15,567	14,237	14,237	18,000	16,119	+552	+1,882	-1,881	D
Federal Enforcement	161,998	161,080	161,080	166,998	164,039	+2,041	+2,959	-2,959	D
State Programs	89,747	89,747	89,747	92,531	91,139	+1,392	+1,392	-1,392	D
Technical Support	19,612	20,234	20,234	20,234	20,234	+622	---	---	D
Compliance Assistance:									
Federal Assistance	59,104	60,248	60,248	63,195	61,722	+2,618	+1,474	-1,473	D
State Consultation Grants	51,021	52,521	52,521	54,582	53,552	+2,531	+1,031	-1,030	D
Training Grants	11,175	4,000	11,175	11,175	11,175	---	---	---	D
Subtotal, Compliance Assistance	121,300	116,769	123,944	128,952	126,449	+5,149	+2,505	-2,503	D
Safety and Health Statistics	26,257	25,739	25,739	26,386	26,063	-194	+324	-323	D
Executive Direction and Administration	9,017	9,213	9,213	9,213	9,213	+196	---	---	D
Total, OSHA	443,498	437,019	444,194	462,314	453,256	+9,758	+9,062	-9,058	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
MINE SAFETY AND HEALTH ADMINISTRATION									
SALARIES AND EXPENSES									
Coal Enforcement	116,093	112,337	112,337	119,655	119,655	+3,562	+7,318	---	D
Metal/Non-Metal Enforcement	61,099	63,910	63,910	63,910	63,910	+2,811	---	---	D
Standards Development	2,357	2,328	2,328	2,428	2,378	+21	+50	-50	D
Assessments	4,807	4,836	4,836	4,936	4,886	+79	+50	-50	D
Educational Policy and Development	27,984	27,914	27,914	27,914	27,914	-70	---	---	D
Technical Support	28,085	28,675	28,675	28,675	28,675	+590	---	---	D
Program Administration	12,551	14,323	14,323	14,323	17,323	+4,772	+3,000	+3,000	D
Mine Mapping	---	---	---	10,000	10,000	+10,000	+10,000	---	D
Total, Mine Safety and Health Administration	252,976	254,323	254,323	271,841	274,741	+21,765	+20,418	+2,900	
BUREAU OF LABOR STATISTICS									
SALARIES AND EXPENSES									
Employment and Unemployment Statistics	146,389	151,004	151,004	149,894	148,294	+1,905	-2,710	-1,600	D
Labor Market Information (Trust Funds)	69,132	72,029	72,029	72,029	72,029	+2,897	---	---	TF
Prices and Cost of Living	148,044	160,716	160,716	160,716	160,716	+12,672	---	---	D
Compensation and Working Conditions	74,221	76,422	76,422	76,422	76,422	+2,201	---	---	D
Productivity and Technology	9,605	9,925	9,925	9,925	9,925	+320	---	---	D
Executive Direction and Staff Services	27,090	28,068	28,068	28,068	28,068	+978	---	---	D
Total, Bureau of Labor Statistics	474,481	498,164	498,164	497,054	495,454	+20,973	-2,710	-1,600	
Federal Funds	405,349	426,135	426,135	425,025	423,425	+18,076	-2,710	-1,600	
Trust Funds	69,132	72,029	72,029	72,029	72,029	+2,897	---	---	
OFFICE OF DISABILITY EMPLOYMENT POLICY									
Office of Disability Employment Policy	35,048	47,015	42,500	47,015	47,487	+12,439	+4,987	+472	D
Task Force on Employment of Adults with Disabilities	2,640	---	---	---	---	-2,640	---	---	D
Total, Office of Disability Employment Policy	37,688	47,015	42,500	47,015	47,487	+9,799	+4,987	+472	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
DEPARTMENTAL MANAGEMENT										
SALARIES AND EXPENSES										
Executive Direction	26,967	26,468	26,468	29,468	26,468	-499	---	-3,000	D	
Departmental IT Crosscut	50,000	74,000	55,000	55,000	55,000	+5,000	---	---	D	
Departmental Management Crosscut	884	7,000	---	5,884	---	-884	---	-5,884	D	
Legal Services	77,054	77,680	77,680	77,680	77,680	+626	---	---	D	
Trust Funds	310	310	310	310	310	---	---	---	TF	
International Labor Affairs	147,334	54,574	54,574	148,015	148,015	+681	+93,441	---	D	
Administration and Management	35,503	30,191	32,670	30,191	33,893	-1,610	+1,223	+3,702	D	
Adjudication	24,496	25,472	25,472	25,232	25,472	+976	---	+240	D	
Women's Bureau	9,939	8,369	8,369	10,973	9,671	-268	+1,302	-1,302	D	
Civil Rights Activities	5,807	5,969	5,969	5,969	5,969	+162	---	---	D	
Chief Financial Officer	6,249	7,901	7,901	7,901	7,901	+1,652	---	---	D	
Total, Salaries and expenses	384,543	317,934	294,413	396,623	390,379	+5,836	+95,966	-6,244		
Federal Funds	384,233	317,624	294,103	396,313	390,069	+5,836	+95,966	-6,244		
Trust Funds	310	310	310	310	310	---	---	---		
VETERANS EMPLOYMENT AND TRAINING										
State Administration:										
Disabled Veterans Outreach Program	81,615	81,615	81,615	83,615	82,615	+1,000	+1,000	-1,000	TF	
Local Veterans Employment Program	77,253	77,253	77,253	79,253	78,253	+1,000	+1,000	-1,000	TF	
Subtotal, State Administration	158,868	158,868	158,868	162,868	160,868	+2,000	+2,000	-2,000		
Federal Administration	27,848	26,669	26,669	28,669	27,669	-179	+1,000	-1,000	TF	
Homeless Veterans Program	18,250	17,500	17,500	19,000	18,250	---	+750	-750	D	
Veterans Workforce Investment Programs	7,550	7,300	7,300	7,550	7,425	-125	+125	-125	D	FF
Total, Veterans Employment and Training	212,516	210,337	210,337	218,087	214,212	+1,696	+3,875	-3,875		
Federal Funds	25,800	24,800	24,800	26,550	25,675	-125	+875	-875		
Trust Funds	186,716	185,537	185,537	191,537	188,537	+1,821	+3,000	-3,000		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
OFFICE OF THE INSPECTOR GENERAL									
Program Activities	51,807	56,659	56,659	56,659	56,659	+4,852	---	---	D
Trust Funds	4,951	5,597	5,597	5,597	5,597	+646	---	---	TF
Total, Office of the Inspector General	56,758	62,256	62,256	62,256	62,256	+5,498	---	---	
Federal funds	51,807	56,659	56,659	56,659	56,659	+4,852	---	---	
Trust funds	4,951	5,597	5,597	5,597	5,597	+646	---	---	
Total, Departmental Management	653,817	590,527	567,006	676,966	666,847	+13,030	+99,841	-10,119	
Federal Funds	461,840	399,083	375,562	479,522	472,403	+10,563	+96,841	-7,119	
Trust Funds	191,977	191,444	191,444	197,444	194,444	+2,467	+3,000	-3,000	
Total, Title I, Department of Labor	14,192,107	14,163,141	14,424,782	14,565,637	14,647,378	+455,271	+222,596	+81,741	
Federal Funds	10,631,672	10,358,823	10,620,169	10,749,024	10,836,147	+204,475	+215,978	+87,123	
Current Year	(8,168,672)	(7,895,823)	(8,157,169)	(8,286,024)	(8,373,147)	(+204,475)	(+215,978)	(+87,123)	
FY 2004	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	(2,463,000)	---	---	---	
Trust Funds	3,560,435	3,804,318	3,804,613	3,816,613	3,811,231	+250,796	+6,618	-5,382	

Title I Footnotes:
1/ Funds rescinded in FY02 as required in FY01 suppl.
2/ Two year availability.

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES									
HEALTH RESOURCES AND SERVICES ADMINISTRATION									
HEALTH RESOURCES AND SERVICES									
Community health centers	1,343,175	1,457,864	1,457,864	1,533,570	1,514,651	+171,476	+56,787	-18,919	D
National Health Service Corps:									
Field placements	46,425	46,498	46,000	46,498	46,249	-176	+249	-249	D
Recruitment	98,952	142,918	109,000	142,918	125,959	+27,007	+16,959	-16,959	D
Subtotal, National Health Service Corps	145,377	189,416	155,000	189,416	172,208	+26,831	+17,208	-17,208	
Health Professions									
Training for Diversity:									
Centers of excellence	32,621	---	32,621	36,000	34,311	+1,690	+1,690	-1,689	D
Health careers opportunity program	34,778	---	34,778	38,000	36,389	+1,611	+1,611	-1,611	D
Faculty loan repayment	1,330	---	1,330	1,330	1,330	---	---	---	D
Scholarships for disadvantaged students	46,216	10,000	46,216	50,000	48,108	+1,892	+1,892	-1,892	D
Subtotal, Training for Diversity	114,945	10,000	114,945	125,330	120,138	+5,193	+5,193	-5,192	
Training in Primary Care Medicine and Dentistry	93,002	---	90,097	93,037	93,037	+35	+2,940	---	D
Interdisciplinary Community-Based Linkages:									
Area health education centers	33,346	---	27,138	33,358	33,358	+12	+6,220	---	D
Health education and training centers	4,400	---	4,400	4,402	4,400	---	---	-2	D
Allied health and other disciplines	9,495	---	15,500	9,499	12,000	+2,505	-3,500	+2,501	D
Geriatric programs	20,400	---	30,000	20,408	28,000	+7,600	-2,000	+7,592	D
Quentin N. Burdick pgm for rural training	6,996	---	4,000	6,999	6,999	+3	+2,999	---	D
Subtotal, Interdisciplinary Comm. Linkages	74,637	---	81,038	74,666	84,757	+10,120	+3,719	+10,091	
Health Professions Workforce Info & Analysis	824	1,000	---	824	824	---	+824	---	D
Public Health Workforce Development:									
Public health, preventive med. & dental pgms	10,473	---	8,000	10,477	10,473	---	+2,473	-4	D
Health administration programs	1,230	---	---	1,230	1,230	---	+1,230	---	D
Subtotal, Public Health Workforce Development	11,703	---	8,000	11,707	11,703	---	+3,703	-4	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Nursing Programs:									
Advanced Education Nursing	60,018	61,041	61,041	47,596	50,502	-9,516	-10,539	+2,906	D
Nurse education, practice, and retention	16,283	16,289	16,289	10,855	27,000	+10,717	+10,711	+16,145	D
Nursing workforce diversity	6,170	6,172	6,172	25,051	10,000	+3,830	+3,828	-15,051	D
Loan repayment and scholarship program	10,235	15,000	15,000	15,000	20,000	+9,765	+5,000	+5,000	D
Nurse reinvestment act	---	---	---	20,000	---	---	---	-20,000	
Comprehensive geriatric education	---	---	---	---	3,000	+3,000	+3,000	+3,000	
Nursing faculty loan program	---	---	---	---	3,000	+3,000	+3,000	+3,000	
Subtotal, Nursing programs	92,706	98,502	98,502	118,502	113,502	+20,796	+15,000	-5,000	
Subtotal, Health Professions	387,817	109,502	392,582	424,066	423,961	+36,144	+31,379	-105	
Other HRSA Programs:									
Hansen's Disease Services	17,839	18,142	18,142	18,142	18,142	+303	---	---	D
Healthy Communities Innovation Initiative	---	20,000	10,000	20,000	---	---	-10,000	-20,000	D
Maternal & Child Health Block Grant	731,244	731,531	726,931	741,531	734,741	+3,497	+7,810	-6,790	D
Abstinence Education:									
Advance from prior year	(30,000)	---	---	---	---	(-30,000)	---	---	NA
Current Year	10,000	72,979	60,000	40,000	55,000	+45,000	-5,000	+15,000	D
Healthy Start	98,952	98,989	94,811	98,989	98,989	+37	+4,178	---	D
Universal Newborn Hearing	9,995	---	10,000	10,000	10,000	+5	---	---	D
Organ Transplantation	19,983	24,990	24,990	24,990	24,990	+5,007	---	---	D
Bone Marrow Program	21,989	22,034	22,034	22,034	22,034	+45	---	---	D
Rural outreach grants	52,098	37,852	38,385	51,472	58,500	+6,402	+20,115	+7,028	D
Rural Health Research	14,802	6,000	9,190	16,808	10,700	-4,102	+1,510	-6,108	D
Telehealth	37,177	5,609	4,000	39,192	27,062	-10,115	+23,062	-12,130	D
State Offices of Rural Health	7,996	4,000	4,000	10,000	8,500	+504	+4,500	-1,500	D
Denali Commission	20,000	---	---	30,000	27,500	+7,500	+27,500	-2,500	D

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(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Critical Care Programs:									
Emergency medical services for children 1/....	18,984	---	18,000	20,000	19,500	+516	+1,500	-500	D
Poison control 1/.....	21,200	---	20,000	24,000	22,500	+1,300	+2,500	-1,500	D
Traumatic Brain Injury.....	7,496	7,499	10,000	9,000	9,500	+2,004	-500	+500	D
Subtotal, Critical Care Programs.....	47,680	7,499	48,000	53,000	51,500	+3,820	+3,500	-1,500	
Black lung clinics.....	5,998	6,000	6,000	6,000	6,000	+2	---	---	D
Trauma Care.....	3,499	---	---	5,000	3,499	---	+3,499	-1,501	D
Payment to Hawaii, treatment of Hansen's.....	2,044	2,045	2,045	2,045	2,045	+1	---	---	D
Other HRSA programs - Current Year.....	1,101,296	1,057,670	1,078,528	1,189,203	1,159,202	+57,906	+80,674	-30,001	
Ryan White AIDS Programs:									
Emergency Assistance.....	619,381	619,514	619,381	622,100	622,741	+3,360	+3,360	+641	D
Comprehensive Care Programs.....	977,240	977,373	997,240	1,081,300	1,060,285	+83,045	+63,045	-21,015	D
AIDS Drug Assistance Program (ADAP) (NA).....	(639,000)	(639,000)	(659,000)	(739,000)	(719,000)	(+80,000)	(+60,000)	(-20,000)	NA
Early Intervention Program.....	193,844	194,055	193,844	197,500	199,672	+5,828	+5,828	+2,172	D
Pediatric HIV/AIDS.....	70,964	70,990	70,964	74,100	74,032	+3,068	+3,068	-68	D
AIDS Dental Services.....	13,493	13,498	13,493	16,000	13,493	---	---	-2,507	D
Education and Training Centers.....	35,282	35,295	35,282	35,295	35,782	+500	+500	+487	D
Subtotal, Ryan White AIDS programs.....	1,910,204	1,910,725	1,930,204	2,026,295	2,006,005	+95,801	+75,801	-20,290	
Evaluation Tap Funding (NA).....	---	---	---	(25,000)	(25,000)	(+25,000)	(+25,000)	---	
Subtotal, Ryan White AIDs program level.....	1,910,204	1,910,725	1,930,204	2,051,295	2,031,005	+120,801	+100,801	-20,290	
Family Planning.....	264,987	265,275	265,275	285,000	275,138	+10,151	+9,863	-9,862	D
Children's Hospitals Graduate Medical Educ.....	284,862	200,000	292,000	285,000	292,000	+7,138	---	+7,000	D
Health Care and Other Facilities.....	315,181	---	---	---	298,153	-17,028	+298,153	+298,153	D
Buildings and Facilities.....	250	250	250	250	250	---	---	---	D
Rural Hospital Flexibility Grants.....	39,985	25,000	30,000	45,000	40,000	+15	+10,000	-5,000	D
Rural Access to Emergency Devices.....	12,495	2,000	12,500	12,500	12,500	+5	---	---	D
Radiation Exposure Compensation Act.....	3,998	4,000	2,000	2,000	2,000	-1,998	---	---	D
National Practitioner Data Bank.....	16,600	19,500	19,500	19,500	19,500	+2,900	---	---	D

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	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
User Fees	-16,600	-19,500	-19,500	-19,500	-19,500	-2,900	---	---	D
Health Care Integrity and Protection Data Bank	5,100	5,600	5,600	5,600	5,600	+500	---	---	D
User Fees	-5,100	-5,600	-5,600	-5,600	-5,600	-500	---	---	D
Community Access Program	119,982	---	120,000	120,027	120,000	+18	---	-27	D
Program Management	145,840	143,702	149,294	143,354	156,562	+10,722	+7,268	+13,208	D
Total, Health resources and services	6,075,449	5,365,404	5,885,497	6,255,681	6,472,630	+397,181	+587,133	+216,949	
HEALTH EDUCATION ASSISTANCE LOANS (HEAL) PROGRAM:									
Liquidating account	(10,000)	(7,000)	(7,000)	(7,000)	(7,000)	(-3,000)	---	---	NA
Program management	3,791	3,914	3,914	3,914	3,914	+123	---	---	D
Total, HEAL	3,791	3,914	3,914	3,914	3,914	+123	---	---	
VACCINE INJURY COMPENSATION PROGRAM TRUST FUND:									
Post-FY 1988 claims	81,704	85,918	85,918	85,918	85,918	+4,214	---	---	M
HRSA administration	2,992	2,991	2,991	2,991	2,991	-1	---	---	D
Total, Vaccine Injury Compensation Trust Fund	84,696	88,909	88,909	88,909	88,909	+4,213	---	---	
Total, Health Resources and Services Admin	6,163,936	5,458,227	5,978,320	6,348,504	6,565,453	+401,517	+587,133	+216,949	
CENTERS FOR DISEASE CONTROL									
Birth Defects/Developmental Disabilities/Disability and Health	89,878	89,323	94,655	97,691	98,681	+8,803	+4,026	+990	D
Chronic Disease Prevention and Health Promotion	746,953	690,230	773,928	745,600	795,140	+48,187	+21,212	+49,540	D
Environmental Health	152,607	152,155	174,917	189,489	184,025	+31,418	+9,108	-5,464	D
Epidemic Services and Response	80,056	78,001	78,001	78,001	78,001	-2,055	---	---	D
Health Statistics	103,335	78,917	79,179	125,899	---	-103,335	-79,179	-125,899	D
Evaluation Tap Funding	(23,286)	(46,982)	(46,982)	---	(125,899)	(+102,613)	(+78,917)	(+125,899)	NA
Program level	126,621	125,899	126,161	125,899	125,899	-722	-262	---	
HIV/AIDS, STD and TB Prevention	1,159,680	1,235,000	1,175,000	1,183,532	1,194,150	+34,470	+19,150	+10,618	D
Immunization	627,453	627,601	634,601	638,895	640,751	+13,298	+6,150	+1,856	D
Evaluation Tap Funding	---	---	---	(14,000)	(14,000)	(+14,000)	(+14,000)	---	NA
Program level	627,453	627,601	634,601	652,895	654,751	+27,298	+20,150	+1,856	

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(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Infectious Disease Control	344,103	334,471	353,961	334,471	345,471	+1,368	-8,490	+11,000	D
Injury Prevention and Control	149,380	144,764	148,464	149,385	149,385	+5	+921	---	D
Occupational Safety and Health 2/	275,737	247,318	275,161	232,999	232,999	-42,738	-42,162	---	D
Evaluation Tap Funding	---	---	---	(41,900)	(41,900)	(+41,900)	(+41,900)	---	NA
Program level	275,737	247,318	275,161	274,899	274,899	-838	-262	---	
Preventive Health and Health Services Block Grant	134,958	134,966	134,966	134,966	134,966	+8	---	---	D
Public Health Improvement	148,149	116,819	114,581	87,072	125,248	-22,901	+10,667	+38,176	D
Evaluation Tap Funding	---	---	---	(28,600)	(28,600)	(+28,600)	(+28,600)	---	NA
Program level	148,149	116,819	114,581	115,672	153,848	+5,699	+39,267	+38,176	
Buildings and Facilities	296,000	---	200,000	270,000	268,000	-28,000	+68,000	-2,000	D
Office of the Director	43,800	44,879	51,443	49,749	49,749	+5,949	-1,694	---	D
Emergency Response and Recovery	12,000	---	---	---	---	-12,000	---	---	D
ATSDR 3/	(78,203)	(77,388)	(77,388)	(77,388)	(77,388)	(-815)	---	---	NA
Total, Centers for Disease Control	4,364,089	3,974,444	4,288,857	4,317,749	4,296,566	-67,523	+7,709	-21,183	
Evaluation Tap Funding (NA)	(23,286)	(46,982)	(46,982)	(84,500)	(210,399)	(+187,113)	(+163,417)	(+125,899)	
Program level	4,387,375	4,021,426	4,335,839	4,402,249	4,506,965	+119,590	+171,126	+104,716	
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	4,176,709	5,071,116	4,299,493	4,642,394	4,622,394	+445,685	+322,901	-20,000	D
National Heart, Lung, and Blood Institute	2,569,885	2,726,830	2,698,391	2,820,011	2,812,011	+242,126	+113,620	-8,000	D
National Institute of Dental & Craniofacial Research	342,293	362,029	360,528	374,067	374,067	+31,774	+13,539	---	D
National Institute of Diabetes and Digestive and Kidney Diseases	1,463,560	1,573,847	1,532,394	1,637,347	1,633,347	+169,787	+100,953	-4,000	D
National Institute of Neurological Disorders & Stroke	1,325,232	1,405,693	1,372,256	1,466,005	1,466,005	+140,773	+93,749	---	D
National Institute of Allergy and Infectious Diseases	2,428,279	3,843,368	2,674,213	3,627,473	3,630,973	+1,202,694	+956,760	+3,500	D
Global HIV/AIDS Fund Transfer 4/	100,000	100,000	---	100,000	100,000	---	+100,000	---	D
Transfer from HHS Secretary, PHHSEF (NA)	---	---	(250,000)	---	---	---	(-250,000)	---	
Subtotal, NIAID	2,528,279	3,943,368	2,674,213	3,727,473	3,730,973	+1,202,694	+1,056,760	+3,500	D
National Institute of General Medical Sciences	1,722,936	1,835,269	1,742,596	1,853,584	1,859,084	+136,148	+116,488	+5,500	D
National Institute of Child Health & Human Development	1,110,472	1,169,412	1,159,405	1,213,817	1,213,817	+103,345	+54,412	---	D

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	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
National Eye Institute	580,085	613,931	600,796	634,290	637,290	+57,205	+36,494	+3,000	D
National Institute of Environmental Health Sciences	564,086	596,898	589,701	617,258	618,258	+54,172	+28,557	+1,000	D
NIEHS/Superfund (NA) 3/	(80,725)	(74,441)	(76,074)	(76,074)	(76,074)	(-4,651)	---	---	NA
National Institute on Aging	891,302	939,606	939,608	1,000,099	1,000,099	+108,797	+60,491	---	D
National Institute of Arthritis and Musculoskeletal and Skin Diseases	447,763	475,708	474,392	489,324	489,324	+41,561	+14,932	---	D
National Institute on Deafness and Other Communication Disorders	341,306	358,164	351,376	372,805	372,805	+31,499	+21,429	---	D
National Institute of Nursing Research	120,236	127,117	130,044	131,438	131,438	+11,202	+1,394	---	D
National Institute on Alcohol Abuse and Alcoholism	383,200	406,783	401,933	418,773	418,773	+35,573	+16,840	---	D
National Institute on Drug Abuse	885,759	941,136	912,489	968,013	968,013	+82,254	+55,524	---	D
National Institute of Mental Health	1,245,292	1,316,885	1,290,274	1,350,788	1,349,788	+104,496	+59,514	-1,000	D
National Human Genome Research Institute	428,294	448,519	431,985	468,037	468,037	+39,743	+36,052	---	D
National Institute of Biomedical Imaging and Bioengineering	111,740	117,966	140,973	283,100	280,100	+168,360	+139,127	-3,000	D
National Center for Research Resources	1,010,169	1,071,424	1,015,395	1,161,272	1,146,272	+136,103	+130,877	-15,000	D
National Center for Complementary and Alternative Medicine	104,338	110,218	105,212	114,149	114,149	+9,811	+8,937	---	D
National Center on Minority Health and Health Disparities	157,393	177,285	151,062	186,929	186,929	+29,536	+35,867	---	D
John E. Fogarty International Center	56,798	62,188	57,064	60,880	63,880	+7,082	+6,816	+3,000	D
National Library of Medicine	275,792	301,380	277,273	302,099	302,099	+26,307	+24,826	---	D
Evaluation Tap Funding	---	---	---	(8,200)	(8,200)	(+8,200)	(+8,200)	---	NA
Program level	275,792	301,380	277,273	310,299	310,299	+34,507	+33,026	---	
Office of the Director	234,859	247,957	2,476,111	257,974	267,974	+33,115	-2,208,137	+10,000	D
Buildings and Facilities	295,879	769,100	296,100	607,800	632,800	+336,921	+336,700	+25,000	D
Total, N.I.H. appropriations	23,373,657	27,169,829	26,481,064	27,159,726	27,159,726	+3,786,069	+678,662	---	
Global HIV/AIDS Fund Transfer	-100,000	-100,000	---	-100,000	-100,000	---	-100,000	---	NA
Global HIV/AIDS Fund Transfer (HR 246)	---	---	-100,000	---	---	---	+100,000	---	
Transfer from HHS Secretary, PHHSEF	---	---	(250,000)	---	---	---	(-250,000)	---	
Evaluation Tap Funding	---	---	---	(8,200)	(8,200)	(+8,200)	(+8,200)	---	NA
Total, N.I.H., Program Level	(23,273,657)	(27,069,829)	(26,631,064)	(27,067,926)	(27,067,926)	(+3,794,269)	(+436,862)	---	NA

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	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES									
Mental Health:									
Programs of Regional and National Significance....	229,507	213,067	226,067	226,067	246,042	+16,535	+19,975	+19,975	D
Mental Health Performance Partnership.....	433,000	433,000	438,000	433,000	440,000	+7,000	+2,000	+7,000	D
Children's Mental Health.....	96,459	96,694	96,694	96,694	98,694	+2,235	+2,000	+2,000	D
Grants to States for the Homeless (PATH).....	39,855	46,855	39,855	46,855	43,355	+3,500	+3,500	-3,500	D
Protection and Advocacy.....	32,500	32,500	32,500	35,500	34,000	+1,500	+1,500	-1,500	D
Subtotal, Mental Health.....	831,321	822,116	833,116	838,116	862,091	+30,770	+28,975	+23,975	
Substance Abuse Treatment:									
Programs of Regional and National Significance....	290,567	357,994	296,314	310,000	319,354	+28,787	+23,040	+9,354	D
Substance Abuse Performance Partnership.....	1,725,000	1,785,000	1,745,000	1,722,800	1,702,800	-22,200	-42,200	-20,000	D
Evaluation Tap Funding	---	---	---	(62,200)	(62,200)	(+62,200)	(+62,200)	---	NA
Subtotal, Substance Abuse Treatment.....	2,015,567	2,142,994	2,041,314	2,032,800	2,022,154	+6,587	-19,160	-10,646	
Program level.....	2,015,567	2,142,994	2,041,314	2,095,000	2,084,354	+68,787	+43,040	-10,646	
Substance Abuse Prevention:									
Programs of Regional and National Significance....	197,479	152,815	202,000	183,379	198,401	+922	-3,599	+15,022	D
Program Management and Buildings and Facilities.....	89,807	75,161	91,467	74,467	74,467	-15,340	-17,000	---	D
Evaluation Tap funding (NA).....	---	---	---	(12,000)	(12,000)	(+12,000)	(+12,000)	---	NA
Program level.....	89,807	75,161	91,467	86,467	86,467	-3,340	-5,000	---	
St. Elizabeths.....	---	---	---	955	955	+955	+955	---	D
Total, Substance Abuse and Mental Health.....	3,134,174	3,193,086	3,167,897	3,129,717	3,158,068	+23,894	-9,829	+28,351	D
Total, Program level.....	(3,134,174)	(3,193,086)	(3,167,897)	(3,203,917)	(3,232,268)	(+98,094)	(+64,371)	(+28,351)	

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AGENCY FOR HEALTHCARE RESEARCH AND QUALITY									
Research on Health Costs, Quality, and Outcomes:									
Federal Funds	---	---	---	252,645	---	---	---	-252,645	D
Evaluation Tap funding (NA)	(247,645)	(194,000)	(247,645)	---	(247,695)	(+50)	(+50)	(+247,695)	NA
Health Coverage Data Improvement (CPS)	---	(10,000)	---	---	---	---	---	---	NA
Portion for reducing medical errors (non-add)	(55,000)	(60,000)	(55,000)	(60,000)	(55,000)	---	---	(-5,000)	NA
Subtotal including Evaluation Tap funds	(247,645)	(194,000)	(247,645)	(252,645)	(247,695)	(+50)	(+50)	(-4,950)	
Health Insurance and Expenditure Surveys:									
Federal Funds	---	---	---	53,300	---	---	---	-53,300	D
Evaluation Tap funding (NA)	(48,500)	(53,300)	(48,500)	---	(53,300)	(+4,800)	(+4,800)	(+53,300)	NA
Program Support	2,585	---	2,600	2,700	---	-2,585	-2,600	-2,700	D
Evaluation Tap funding (NA)	---	(2,700)	---	---	(2,700)	(+2,700)	(+2,700)	(+2,700)	NA
Total, AHRQ	(298,730)	(250,000)	(298,745)	(308,645)	(303,695)	(+4,965)	(+4,950)	(-4,950)	
Federal Funds	2,585	---	2,600	308,645	---	-2,585	-2,600	-308,645	
Evaluation Tap funding (NA)	---	---	---	---	---	---	---	---	
Total, Public Health Service program level	37,257,872	39,992,568	40,411,865	41,356,241	41,701,307	+4,443,435	+1,289,442	+345,066	
Federal Funds	37,038,441	39,795,586	39,818,738	41,264,341	41,179,813	+4,141,372	+1,361,075	-84,528	
CENTER FOR MEDICARE AND MEDICAID SERVICES GRANTS TO STATES FOR MEDICAID									
Medicaid current law benefits	134,308,100	148,726,168	148,726,168	148,726,168	148,726,168	+14,418,068	---	---	M
State and local administration	8,293,316	9,142,049	9,142,049	9,142,049	9,142,049	+848,733	---	---	M
Vaccines for Children	795,533	823,938	823,938	823,938	823,938	+28,405	---	---	M
Subtotal, Medicaid program level	143,396,949	158,692,155	158,692,155	158,692,155	158,692,155	+15,295,206	---	---	
Less Medicare Transfer (P.L. 105-33)	-70,000	---	---	---	---	+70,000	---	---	M
Less funds advanced in prior year	-36,207,551	-46,601,937	-46,601,937	-46,601,937	-46,601,937	-10,394,386	---	---	M
Total, request	107,119,398	112,090,218	112,090,218	112,090,218	112,090,218	+4,970,820	---	---	
New advance, 1st quarter	46,601,937	51,861,386	51,861,386	51,861,386	51,861,386	+5,259,449	---	---	M

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
PAYMENTS TO HEALTH CARE TRUST FUNDS									
Supplemental medical insurance	81,332,000	80,905,000	80,905,000	80,905,000	80,905,000	-427,000	---	---	M
Hospital insurance for the uninsured	292,000	225,000	225,000	225,000	225,000	-67,000	---	---	M
Federal uninsured payment	150,000	168,000	168,000	168,000	168,000	+18,000	---	---	M
Program management	205,200	164,700	164,700	164,700	164,700	-40,500	---	---	M
Total, Payments to Trust Funds, current law	81,979,200	81,462,700	81,462,700	81,462,700	81,462,700	-516,500	---	---	
PROGRAM MANAGEMENT									
Research, Demonstration, Evaluation:									
Regular Program	117,201	28,400	33,510	68,400	74,194	-43,007	+40,684	+5,794	TF
Medicare Contractors	1,480,000	1,675,084	1,675,084	1,680,084	1,677,584	+197,584	+2,500	-2,500	TF
H.R. 3103 funding (NA)	(700,000)	(720,000)	(700,000)	(720,000)	(720,000)	(+20,000)	(+20,000)	---	NA
Medicare Plus Choice	52,000	---	---	---	---	-52,000	---	---	TF
Subtotal, Medicare Contractors limit'n on new BA	1,532,000	1,675,084	1,675,084	1,680,084	1,677,584	+145,584	+2,500	-2,500	
Subtotal, Medicare Contractors program level	(2,232,000)	(2,395,084)	(2,375,084)	(2,400,084)	(2,397,584)	(+165,584)	(+22,500)	(-2,500)	
State Survey and Certification	253,085	247,647	254,397	254,397	254,397	+1,312	---	---	TF
Federal Administration:									
Federal Administration	527,080	556,783	587,497	556,783	575,497	+48,417	-12,000	+18,714	TF
User Fees	-2,118	---	---	---	---	+2,118	---	---	TF
Subtotal, Federal Administration	524,962	556,783	587,497	556,783	575,497	+50,535	-12,000	+18,714	
Total, Program management lim on new BA	2,427,248	2,507,914	2,550,488	2,559,664	2,581,672	+154,424	+31,184	+22,008	TF
Total, Program management, program level	(3,127,248)	(3,227,914)	(3,250,488)	(3,279,664)	(3,301,672)	(+174,424)	(+51,184)	(+22,008)	
Total, Center for Medicare and Medicaid Services	238,127,783	247,922,218	247,964,792	247,973,968	247,995,976	+9,868,193	+31,184	+22,008	
Federal funds	235,700,535	245,414,304	245,414,304	245,414,304	245,414,304	+9,713,769	---	---	
Current year	(189,098,598)	(193,552,918)	(193,552,918)	(193,552,918)	(193,552,918)	(+4,454,320)	---	---	
New advance, 1st quarter, FY 2004	(46,601,937)	(51,861,386)	(51,861,386)	(51,861,386)	(51,861,386)	(+5,259,449)	---	---	
Trust Funds	2,427,248	2,507,914	2,550,488	2,559,664	2,581,672	+154,424	+31,184	+22,008	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
ADMINISTRATION FOR CHILDREN AND FAMILIES									
FAMILY SUPPORT PAYMENTS TO STATES									
Prior year AFDC and related payments	50,000	---	---	---	---	-50,000	---	---	M
Payments to territories	23,000	23,000	23,000	23,000	23,000	---	---	---	M
Repatriation	1,000	1,000	1,000	1,000	1,000	---	---	---	M
Subtotal, Welfare payments	74,000	24,000	24,000	24,000	24,000	-50,000	---	---	
Child Support Enforcement:									
State and local administration 5/	3,452,313	3,541,800	3,541,800	3,541,800	3,541,800	+89,487	---	---	M
Federal incentive payments	450,000	461,000	461,000	461,000	461,000	+11,000	---	---	M
Hold Harmless payments	10,000	---	---	---	---	-10,000	---	---	M
Access and visitation	10,000	10,000	10,000	10,000	10,000	---	---	---	M
Subtotal, Child Support Enforcement	3,922,313	4,012,800	4,012,800	4,012,800	4,012,800	+90,487	---	---	
Total, Payments, FY 2003 program level	3,996,313	4,036,800	4,036,800	4,036,800	4,036,800	+40,487	---	---	
Less funds advanced in previous years	-1,000,000	-1,100,000	-1,100,000	-1,100,000	-1,100,000	-100,000	---	---	M
Total, payments, current request	2,996,313	2,936,800	2,936,800	2,936,800	2,936,800	-59,513	---	---	
New advance, 1st quarter, FY 2004	1,100,000	1,100,000	1,100,000	1,100,000	1,100,000	---	---	---	M

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
LOW INCOME HOME ENERGY ASSISTANCE									
Current Year	1,700,000	1,400,000	1,700,000	1,700,000	1,700,000	---	---	---	D
Emergency allocation:									
Non-emergency funding	---	300,000	---	---	---	---	---	---	D
Contingent emergency funding	300,000	---	---	---	---	-300,000	---	---	D
Total, Low income home energy assistance	2,000,000	1,700,000	1,700,000	1,700,000	1,700,000	-300,000	---	---	
REFUGEE AND ENTRANT ASSISTANCE									
Transitional and Medical Services	227,243	227,291	221,291	221,291	221,291	-5,952	---	---	D
Victims of Trafficking	10,000	10,000	10,000	10,000	10,000	---	---	---	D
Social Services	158,600	151,121	151,121	147,121	151,121	-7,479	---	+4,000	D
Preventive Health	4,835	4,835	4,835	4,835	4,835	---	---	---	D
Targeted Assistance	49,477	49,477	49,477	49,477	49,477	---	---	---	D
Victims of Torture	10,000	10,000	10,000	10,000	10,000	---	---	---	D
Total, Refugee and entrant assistance	460,155	452,724	446,724	442,724	446,724	-13,431	---	+4,000	
CHILD CARE AND DEVELOPMENT BLOCK GRANT	2,099,942	2,099,994	2,099,994	2,099,994	2,099,994	+52	---	---	D
SOCIAL SERVICES BLOCK GRANT (TITLE XX)	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	---	---	---	M
CHILDREN AND FAMILIES SERVICES PROGRAMS									
Programs for Children, Youth and Families:									
Head Start, current funded	5,136,977	5,267,533	5,267,533	5,267,533	5,267,533	+130,556	---	---	D
Advance from prior year	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	---	---	---	NA
FY 2004	1,400,000	1,400,000	1,400,000	1,400,000	1,400,000	---	---	---	D
Subtotal, Head Start, program level	6,536,977	6,667,533	6,667,533	6,667,533	6,667,533	+130,556	---	---	
Consolidated Runaway, Homeless Youth Prog	88,024	88,133	88,133	93,000	90,567	+2,543	+2,434	-2,433	D
Maternity Group Homes	---	10,000	---	---	---	---	---	---	D
Child Abuse State Grants	22,013	22,013	22,013	22,013	22,013	---	---	---	D
Child Abuse Discretionary Activities	26,081	26,351	26,351	26,351	34,066	+7,985	+7,715	+7,715	D
Abandoned Infants Assistance	12,194	12,205	12,205	12,205	12,205	+11	---	---	D
Child Welfare Services	291,986	291,986	291,986	291,986	291,986	---	---	---	D
Child Welfare Training	7,487	7,498	7,498	7,498	7,498	+11	---	---	D

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Adoption Opportunities	27,335	27,405	27,405	27,405	27,405	+70	---	---	D
Adoption Incentive	20,000	---	---	---	---	-20,000	---	---	D
Adoption Incentive (no cap adjustment)	23,000	43,000	43,000	43,000	43,000	+20,000	---	---	D
Adoption Awareness	12,906	12,906	12,906	12,906	12,906	---	---	---	D
Compassion Capital Fund	29,949	100,000	30,000	45,000	35,000	+5,051	+5,000	-10,000	D
Social Services and Income Maintenance Research	30,918	6,000	6,000	---	28,937	-1,981	+22,937	+28,937	D
Evaluation tap funding	---	---	---	(6,000)	(6,000)	(+6,000)	(+6,000)	---	
Program level	30,918	6,000	6,000	6,000	34,937	+4,019	+28,937	+28,937	
Community Based Resource Centers	33,412	33,417	33,417	33,417	33,417	+5	---	---	D
Developmental Disabilities Program:									
State Councils	69,800	69,800	69,800	72,200	71,600	+1,800	+1,800	-600	D
Protection and Advocacy	35,000	35,000	35,000	37,000	36,500	+1,500	+1,500	-500	D
Developmental Disabilities Special Projects	11,684	11,734	11,734	12,734	12,484	+800	+750	-250	D
Developmental Disabilities University Affiliated	24,000	24,000	24,000	25,500	25,125	+1,125	+1,125	-375	D
Subtotal, Developmental disabilities	140,484	140,534	140,534	147,434	145,709	+5,225	+5,175	-1,725	
Native American Programs	45,826	45,196	45,196	45,912	45,754	-72	+558	-158	D
Community Services:									
Grants to States for Community Services	649,967	570,000	570,000	649,987	649,987	+20	+79,987	---	D
Community Initiative Program:									
Economic Development	32,476	32,517	32,517	33,000	32,759	+283	+242	-241	D
Individual Development Account Initiative	24,943	24,990	24,990	24,990	24,990	+47	---	---	D
Rural Community Facilities	7,000	6,161	7,000	7,500	7,250	+250	+250	-250	D
Subtotal, Community Initiative Program	64,419	63,668	64,507	65,490	64,999	+580	+492	-491	
National Youth Sports	17,000	---	17,000	17,000	17,000	---	---	---	D
Community Food and Nutrition	7,312	6,657	6,657	8,000	7,329	+17	+672	-671	D
Subtotal, Community Services	738,698	640,325	658,164	740,477	739,315	+617	+81,151	-1,162	
Runaway Youth Prevention	14,999	14,999	14,999	16,000	15,500	+501	+501	-500	D
Domestic Violence Hotline	2,157	2,157	2,157	3,000	2,579	+422	+422	-421	D
Battered Women's Shelters	124,459	124,459	124,459	130,000	127,230	+2,771	+2,771	-2,770	D

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Early Learning Fund	24,988	---	---	38,000	34,000	+9,012	+34,000	-4,000	D
Faith-Based Center	1,497	1,500	1,500	1,500	1,500	+3	---	---	D
Promotion of Responsible Fatherhood & Healthy Marriage	---	20,000	---	---	---	---	---	---	D
Mentoring Children of Prisoners	---	25,000	---	12,500	10,000	+10,000	+10,000	-2,500	D
Independent Living Training Vouchers	---	60,000	39,769	60,000	42,000	+42,000	+2,231	-18,000	D
Program Direction	170,521	170,747	171,837	171,747	172,997	+2,476	+1,160	+1,250	D
Total, Children and Families Services Programs	8,425,911	8,593,364	8,467,062	8,648,884	8,643,117	+217,206	+176,055	-5,767	
Current Year	(7,025,911)	(7,193,364)	(7,067,062)	(7,248,884)	(7,243,117)	(+217,206)	(+176,055)	(-5,767)	
FY 2004	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	(1,400,000)	---	---	---	
Rescission of permanent appropriations	-21,000	---	---	---	---	+21,000	---	---	D
PROMOTING SAFE AND STABLE FAMILIES	304,989	305,000	305,000	305,000	305,000	+11	---	---	M
Discretionary Funds	69,997	200,000	70,000	200,000	100,000	+30,003	+30,000	-100,000	D
PAYMENTS TO STATES FOR FOSTER CARE AND ADOPTION									
Foster Care	5,055,492	4,884,500	4,884,500	4,884,500	4,884,500	-170,992	---	---	M
Adoption Assistance	1,426,000	1,584,500	1,584,500	1,584,500	1,584,500	+158,500	---	---	M
Independent living	140,000	140,000	140,000	140,000	140,000	---	---	---	M
Total, Payments to States	6,621,492	6,609,000	6,609,000	6,609,000	6,609,000	-12,492	---	---	
Less Advances from Prior Year	-1,735,900	-1,754,000	-1,754,000	-1,754,000	-1,754,000	-18,100	---	---	M
Total, payments, current request	4,885,592	4,855,000	4,855,000	4,855,000	4,855,000	-30,592	---	---	
New Advance, 1st quarter	1,754,000	1,745,600	1,745,600	1,745,600	1,745,600	-8,400	---	---	M
Total, Administration for Children & Families	25,775,899	25,688,482	25,426,180	25,734,002	25,632,235	-143,664	+206,055	-101,767	
Current year	(21,521,899)	(21,442,882)	(21,180,580)	(21,488,402)	(21,386,635)	(-135,264)	(+206,055)	(-101,767)	
FY 2004	(4,254,000)	(4,245,600)	(4,245,600)	(4,245,600)	(4,245,600)	(-8,400)	---	---	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
ADMINISTRATION ON AGING									
Grants to States:									
Supportive Services and Centers	356,981	357,000	357,000	359,000	358,000	+1,019	+1,000	-1,000	D
Preventive Health	21,123	21,562	21,562	22,562	22,062	+939	+500	-500	D
Title VII	17,681	17,681	17,681	19,681	18,681	+1,000	+1,000	-1,000	D
Family Caregivers	135,992	136,000	150,000	150,000	150,000	+14,008	---	---	D
Native American Caregivers Support	5,500	5,500	6,000	6,500	6,250	+750	+250	-250	D
Subtotal, Caregivers	141,492	141,500	156,000	156,500	156,250	+14,758	+250	-250	
Nutrition:									
Congregate Meals 6/	491,699	491,699	491,699	390,000	387,108	-104,591	-104,591	-2,892	D
Home Delivered Meals 6/	222,525	224,525	224,525	182,000	182,169	-40,356	-42,356	+169	D
Nutrition Services Incentive Program 7/	---	---	---	149,670	149,670	+149,670	+149,670	---	
Grants to Indians	25,722	27,675	27,675	27,675	27,675	+1,953	---	---	D
Aging Research, Training and Special Projects	38,257	27,837	27,837	27,837	40,521	+2,264	+12,684	+12,684	D
Aging Network Support Activities	2,379	2,379	2,379	2,379	2,379	---	---	---	D
Alzheimer's Initiative	11,483	11,500	11,500	14,000	13,500	+2,017	+2,000	-500	D
Program Administration	18,053	17,986	17,986	17,986	17,986	-67	---	---	D
Total, Administration on Aging	1,347,395	1,341,344	1,355,844	1,369,290	1,376,001	+28,606	+20,157	+6,711	
OFFICE OF THE SECRETARY									
GENERAL DEPARTMENTAL MANAGEMENT:									
Federal Funds	166,544	177,272	157,634	168,263	150,779	-15,765	-6,855	-17,484	D
NAS study	499	---	---	---	---	-499	---	---	D
Trust Funds	5,851	5,851	5,851	5,851	5,851	---	---	---	TF
Evaluation tap funding (ASPE) (NA)	(21,552)	(21,552)	(21,552)	---	(21,552)	---	---	(+21,552)	NA
Subtotal	(194,446)	(204,675)	(185,037)	(174,114)	(178,182)	(-16,264)	(-6,855)	(+4,068)	
Adolescent Family Life (Title XX)	28,924	31,124	31,124	31,124	31,124	+2,200	---	---	D
Physical Fitness and Sports	1,136	1,223	1,223	1,223	1,223	+87	---	---	D
Minority health	49,546	46,329	43,057	46,329	56,592	+7,046	+13,535	+10,263	D
Office of women's health	26,738	28,795	26,761	28,795	28,845	+2,107	+2,084	+50	D
U.S. Surgeon General initiative	1,000	1,000	---	---	---	-1,000	---	---	D

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Office of Emergency Preparedness	14,159	15,247	15,247	15,247	15,247	+1,088	---	---	D
Office of Human Research Protection	7,015	7,554	7,554	7,554	7,554	+539	---	---	D
Bioterrorism (PHSSEF) 8/	---	---	---	---	---	---	---	---	NA
Minority HIV/AIDS	49,991	50,000	50,000	50,000	50,000	+9	---	---	D
IT Security and Innovation Fund	21,960	20,000	20,000	20,000	20,000	-1,960	---	---	D
Total, General Departmental Management	373,363	384,395	358,451	374,386	367,215	-6,148	+8,764	-7,171	
Federal Funds	367,512	378,544	352,600	368,535	361,364	-6,148	+8,764	-7,171	
Trust Funds	5,851	5,851	5,851	5,851	5,851	---	---	---	
OFFICE OF THE INSPECTOR GENERAL:									
Federal Funds	35,558	39,747	37,300	39,747	37,300	+1,742	---	-2,447	D
HIPAA funding (NA)	(150,000)	(160,000)	(160,000)	(160,000)	(160,000)	(+10,000)	---	---	NA
Total, Inspector General program level	(185,558)	(199,747)	(197,300)	(199,747)	(197,300)	(+11,742)	---	(-2,447)	
OFFICE FOR CIVIL RIGHTS:									
Federal Funds	28,492	30,328	30,328	30,328	30,328	+1,836	---	---	D
Trust Funds	3,314	3,314	3,314	3,314	3,314	---	---	---	TF
Total, Office for Civil Rights	31,806	33,642	33,642	33,642	33,642	+1,836	---	---	
POLICY RESEARCH:									
Federal Funds	2,494	2,499	2,499	2,499	2,499	+5	---	---	D
Evaluation Tap funding (NA)	(18,000)	(18,000)	(18,000)	(18,000)	(18,000)	---	---	---	NA
Total, Policy Research	20,494	20,499	20,499	20,499	20,499	+5	---	---	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
MEDICAL BENEFITS FOR COMMISSIONED OFFICERS									
Retirement payments	207,887	222,058	222,058	222,058	222,058	+14,171	---	---	M
Survivors benefits	12,115	12,904	12,904	12,904	12,904	+789	---	---	M
Dependents' medical care	40,780	14,668	14,668	14,668	14,668	-26,112	---	---	M
Military services credits	1,293	1,409	1,409	1,409	1,409	+116	---	---	M
Total, Retirement pay and medical benefits	262,075	251,039	251,039	251,039	251,039	-11,036	---	---	
HEALTH FACILITIES CONSTRUCTION AND MANAGEMENT FUND	---	184,000	---	---	---	---	---	---	D
PUBLIC HEALTH AND SOCIAL SERVICE EMERGENCY FUND									
Public Health/Social Service Emergency (P.L. 107-38)	2,418,314	---	---	---	---	-2,418,314	---	---	D
Public Health/Social Service Fund 9/	242,643	2,295,184	2,507,184	2,255,980	2,246,680	+2,004,037	-260,504	-9,300	D
Total, Office of the Secretary	3,366,253	3,190,506	3,190,115	2,957,293	2,938,375	-427,878	-251,740	-18,918	
Federal Funds	3,357,088	3,181,341	3,180,950	2,948,128	2,929,210	-427,878	-251,740	-18,918	
Trust Funds	9,165	9,165	9,165	9,165	9,165	---	---	---	
Total, Title II, Dept of Health & Human Services	305,655,771	317,938,136	317,855,669	319,298,894	319,122,400	+13,466,629	+1,266,731	-176,494	
Federal Funds	303,219,358	315,421,057	315,296,016	316,730,065	316,531,563	+13,312,205	+1,235,547	-198,502	
Current year	(252,363,421)	(259,314,071)	(259,189,030)	(260,623,079)	(260,424,577)	(+8,061,156)	(+1,235,547)	(-198,502)	
FY 2004	(50,855,937)	(56,106,986)	(56,106,986)	(56,106,986)	(56,106,986)	(+5,251,049)	---	---	
Trust Funds	2,436,413	2,517,079	2,559,653	2,568,829	2,590,837	+154,424	+31,184	+22,008	

Title II Footnotes:
1/ Requested in the Public Health and Human Services Emergency Fund.

2/ Includes Mine Safety and Health.
3/ Funds provided in VA/HUD Appropriations Bill.

4/ GP transfers $100M to Global HIV/AIDs fund.
5/ FY 2003 request is based on current law.

6/ FY 2002 and FY 2003 funding includes consolidation of USDA and AoA Nutrition programs.
7/ House includes funding under Congregate meals and Home delivered meals.

8/ Funds are provided in the Public Health and Social Service Emergency Fund.

9/ Funding transferred from Office of the Secretary and CDC to the PHSSEF.

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
TITLE III - DEPARTMENT OF EDUCATION										
EDUCATION FOR THE DISADVANTAGED										
Grants to Local Educational Agencies (LEAs)										
Basic Grants										
Advance from prior year	(5,394,300)	(4,011,272)	(4,011,272)	(4,011,272)	(4,011,272)	(-1,383,028)	---	---	NA	
Forward funded	3,158,199	4,158,199	4,158,199	2,914,199	2,914,199	-244,000	-1,244,000	---	D	FF
Current funded	3,500	3,500	3,500	3,500	3,500	---	---	---	D	
Subtotal, Basic grants current year approp.	3,161,699	4,161,699	4,161,699	2,917,699	2,917,699	-244,000	-1,244,000	---	D	
Subtotal, Basic grants total funds available	(8,555,999)	(8,172,971)	(8,172,971)	(6,928,971)	(6,928,971)	(-1,627,028)	(-1,244,000)	---		
Basic Grants FY 2004 Advance	4,011,272	3,011,272	3,011,272	4,255,272	4,255,272	+244,000	+1,244,000	---	D	
Subtotal, Basic grants, program level	7,172,971	7,172,971	7,172,971	7,172,971	7,172,971	---	---	---		
Concentration Grants										
Advance from prior year	(1,364,000)	(1,365,031)	(1,365,031)	(1,365,031)	(1,365,031)	(+1,031)	---	---	NA	
FY 2004 Advance	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---	D	
Subtotal, Concentration Grants program level	1,365,031	1,365,031	1,365,031	1,365,031	1,365,031	---	---	---		
Targeted Grants										
Advance from prior year	---	(1,018,499)	(1,018,499)	(1,018,499)	(1,018,499)	(+1,018,499)	---	---	NA	
FY 2004 Advance	1,018,499	2,018,499	1,518,499	1,405,999	1,670,239	+651,740	+151,740	+264,240	D	
Subtotal, Targeted Grants program level	1,018,499	2,018,499	1,518,499	1,405,999	1,670,239	+651,740	+151,740	+264,240		
Education Finance Incentive Grants										
Advance from prior year	---	(793,499)	(793,499)	(793,499)	(793,499)	(+793,499)	---	---	NA	
FY 2004 Advance	793,499	793,499	793,499	1,405,999	1,541,759	+748,260	+748,260	+135,760	D	
Subtotal, Education Finance Incentive Grants	793,499	793,499	793,499	1,405,999	1,541,759	+748,260	+748,260	+135,760		
Funding for Innovative Programs	---	---	---	5,000,000	---	---	---	-5,000,000		
Subtotal, Grants to LEAs (program level)	10,350,000	11,350,000	10,850,000	16,350,000	11,750,000	+1,400,000	+900,000	-4,600,000		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
Even Start	250,000	200,000	250,000	200,000	250,000	---	---	+50,000	D	FF
Reading First:										
State Grants (forward funded)	705,000	805,000	805,000	805,000	805,000	+100,000	---	---	D	FF
Advance from prior year	---	(195,000)	(195,000)	(195,000)	(195,000)	(+195,000)	---	---	NA	
FY 2004 Advance	195,000	195,000	195,000	195,000	195,000	---	---	---	D	
Subtotal, Reading First State Grants	900,000	1,000,000	1,000,000	1,000,000	1,000,000	+100,000	---	---		
Early Reading First	75,000	75,000	75,000	75,000	75,000	---	---	---	D	
Literacy through School Libraries	12,500	12,500	12,500	15,000	12,500	---	---	-2,500	D	
State Agency Programs:										
Migrant	396,000	396,000	396,000	400,000	398,000	+2,000	+2,000	-2,000	D	FF
Neglected and Delinquent/High Risk Youth	48,000	48,000	48,000	50,000	49,000	+1,000	+1,000	-1,000	D	FF
Evaluation	8,900	8,900	8,900	8,900	8,900	---	---	---	D	
Comprehensive School Reform Demonstration	235,000	235,000	235,000	---	235,000	---	---	+235,000	D	FF
Dropout Prevention Programs	10,000	---	---	13,000	11,000	+1,000	+11,000	-2,000	D	
Ellender Fellowships/Close Up	1,500	---	1,500	1,500	1,500	---	---	---	D	
Advanced Placement Fees	22,000	22,000	22,000	25,000	23,500	+1,500	+1,500	-1,500	D	
Migrant Education:										
High School Equivalency Program	23,000	23,000	23,000	24,000	23,500	+500	+500	-500	D	
College Assistance Migrant Program	15,000	15,000	15,000	16,000	15,500	+500	+500	-500	D	
Subtotal, Migrant Education	38,000	38,000	38,000	40,000	39,000	+1,000	+1,000	-1,000		
Total, Education for the disadvantaged	12,346,900	13,385,400	12,936,900	18,178,400	13,853,400	+1,506,500	+916,500	-4,325,000		
Current Year	(4,963,599)	(6,002,099)	(6,053,599)	(9,551,099)	(4,826,099)	(-137,500)	(-1,227,500)	(-4,725,000)		
FY 2004	(7,383,301)	(7,383,301)	(6,883,301)	(8,627,301)	(9,027,301)	(+1,644,000)	(+2,144,000)	(+400,000)		
Subtotal, forward funded	(4,792,199)	(5,842,199)	(5,892,199)	(4,369,199)	(4,651,199)	(-141,000)	(-1,241,000)	(+282,000)		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
IMPACT AID										
Basic Support Payments	982,500	982,500	1,022,000	1,012,500	1,032,000	+49,500	+10,000	+19,500	D	
Payments for Children with Disabilities	50,000	50,000	50,000	52,000	51,000	+1,000	+1,000	-1,000	D	
Facilities Maintenance (Sec. 8008)	8,000	8,000	8,000	8,000	8,000	---	---	---	D	
Construction (Sec. 8007)	48,000	45,000	45,000	47,000	45,000	-3,000	---	-2,000	D	
Payments for Federal Property (Sec. 8002)	55,000	55,000	60,000	57,000	60,000	+5,000	---	+3,000	D	
Total, Impact aid	1,143,500	1,140,500	1,185,000	1,176,500	1,196,000	+52,500	+11,000	+19,500		
SCHOOL IMPROVEMENT PROGRAMS										
State Grants for Improving Teacher Quality	1,700,000	1,700,000	1,300,000	1,700,000	1,800,000	+100,000	+500,000	+100,000	D	FF
Advance from prior year	(1,150,000)	(1,150,000)	(1,150,000)	(1,150,000)	(1,150,000)	---	---	---	NA	
FY 2004	1,150,000	1,150,000	1,650,000	1,150,000	1,150,000	---	-500,000	---	D	
State Grants for Improving Teacher Quality, program level	2,850,000	2,850,000	2,950,000	2,850,000	2,950,000	+100,000	---	+100,000		
National Activities:										
School Leadership	10,000	---	10,000	15,000	12,500	+2,500	+2,500	-2,500	D	
Advanced Credentialing	10,000	---	10,000	10,000	10,000	---	---	---	D	
Early Childhood Educator Professional Development	15,000	15,000	---	15,000	15,000	---	+15,000	---	D	
Subtotal, National Activities	35,000	15,000	20,000	40,000	37,500	+2,500	+17,500	-2,500		
Mathematics and Science Partnerships	12,500	12,500	100,000	25,000	101,000	+88,500	+1,000	+76,000	D	
Troops-to-Teachers	18,000	20,000	30,000	20,000	29,000	+11,000	-1,000	+9,000	D	
Transition to Teaching	35,000	39,400	47,000	35,000	42,000	+7,000	-5,000	+7,000	D	
Transition to Teaching/Troops to Teachers/National Act	---	---	---	---	---	---	---	---	D	
State Grants for Innovative Education (Education Block Grant)	100,000	100,000	100,000	100,000	100,000	---	---	---	D	FF
Advance from prior year	(285,000)	(285,000)	(285,000)	(285,000)	(285,000)	---	---	---	NA	
FY 2004	285,000	285,000	285,000	285,000	285,000	---	---	---	D	
Education Block Grant, program level	385,000	385,000	385,000	385,000	385,000	---	---	---		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
Educational Technology:										
Educational Technology State Grants	700,500	700,500	700,500	700,500	700,500	---	---	---	D	FF
Ready to Learn	22,000	22,000	22,000	24,000	23,000	+1,000	+1,000	-1,000	D	
Preparing Tomorrow's Teachers to Use Technology	62,500	---	---	62,500	62,500	---	+62,500	---	D	
Subtotal, Educational Technology	785,000	722,500	722,500	787,000	786,000	+1,000	+63,500	-1,000		
21st Century Community Learning Centers	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	---	---	---	D	FF
Safe and Drug Free Schools:										
State Grants, current funded	142,017	142,017	142,017	152,017	142,017	---	---	-10,000	D	FF
Advance from prior year	(330,000)	(330,000)	(330,000)	(330,000)	(330,000)	---	---	---	NA	
FY 2004	330,000	330,000	330,000	330,000	330,000	---	---	---	D	
State Grants, program level	472,017	472,017	472,017	482,017	472,017	---	---	-10,000		
National Programs	182,233	172,233	172,233	162,233	156,196	-26,037	-16,037	-6,037	D	
Subtotal, Safe and Drug Free Schools	654,250	644,250	644,250	644,250	628,213	-26,037	-16,037	-16,037		
Magnet Schools Assistance	110,000	110,000	110,000	110,000	110,000	---	---	---	D	
Charter Schools Grants	200,000	200,000	200,000	200,000	200,000	---	---	---	D	
Credit Enhancement for Charter School Facilities	---	100,000	50,000	---	25,000	+25,000	-25,000	+25,000	D	
Voluntary Public School Choice	25,000	25,000	25,000	27,584	26,000	+1,000	+1,000	-1,584	D	
Choice Demonstration Fund	---	50,000	---	---	---	---	---	---	D	
State Assessments/Enhanced Assessment Instruments	387,000	387,000	387,000	387,000	387,000	---	---	---	D	FF
Education for Homeless Children & Youth	50,000	50,000	55,000	54,000	55,000	+5,000	---	+1,000	D	FF
Training and Advisory Services (Civil Rights)	7,334	7,334	7,334	7,334	7,334	---	---	---	D	
Education for Native Hawaiians	30,500	18,300	18,300	32,500	31,000	+500	+12,700	-1,500	D	
Alaska Native Education Equity	24,000	14,200	14,200	32,500	31,000	+7,000	+16,800	-1,500	D	
Rural Education	162,500	---	162,500	175,000	168,750	+6,250	+6,250	-6,250	D	FF
Mentoring Programs	17,500	---	17,500	17,500	17,500	---	---	---	D	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
Fund for the Improvement of Education (FIE):									D	
Current funded	622,809	84,000	100,000	735,661	585,760	-37,049	+485,760	-149,901	D	FF
Forward funded	210,080	---	211,000	---	228,900	+18,820	+17,900	+228,900	D	FF
Subtotal, FIE	832,889	84,000	311,000	735,661	814,660	-18,229	+503,660	+78,999		
Community Service for Expelled or Susp'd Students	50,000	---	---	50,000	50,000	---	+50,000	---	D	FF
Alcohol Abuse Reduction	25,000	---	---	25,000	25,000	---	+25,000	---	D	
Teaching of Traditional American History	100,000	50,000	50,000	100,000	100,000	---	+50,000	---	D	
Civic Education	27,000	---	27,000	30,000	29,000	+2,000	+2,000	-1,000	D	
National Writing Project	14,000	---	14,000	18,000	17,000	+3,000	+3,000	-1,000	D	
Total, School improvement programs	7,837,473	6,784,484	7,347,584	7,788,329	8,052,957	+215,484	+705,373	+264,628		
Current Year	(6,072,473)	(5,019,484)	(5,082,584)	(6,023,329)	(6,287,957)	(+215,484)	(+1,205,373)	(+264,628)		
FY 2004	(1,765,000)	(1,765,000)	(2,265,000)	(1,765,000)	(1,765,000)	---	(-500,000)	---		
Subtotal, forward funded	(4,502,097)	(4,079,517)	(4,058,017)	(4,318,517)	(4,632,167)	(+130,070)	(+574,150)	(+313,650)		
Reading Excellence Act:									D	
Advance from prior year	(195,000)	---	---	---	---	(-195,000)	---	---	NA	
INDIAN EDUCATION										
Grants to Local Educational Agencies	97,133	97,133	97,133	97,133	97,133	---	---	---	D	
Federal Programs:										
Special Programs for Indian Children	20,000	20,000	20,000	20,000	20,000	---	---	---	D	
National Activities	3,235	5,235	5,235	5,235	5,235	+2,000	---	---	D	
Subtotal, Federal Programs	23,235	25,235	25,235	25,235	25,235	+2,000	---	---		
Total, Indian Education	120,368	122,368	122,368	122,368	122,368	+2,000	---	---		
ENGLISH LANGUAGE ACQUISITION										
Current funded	250,000	196,000	196,000	196,000	196,000	-54,000	---	---	D	
Forward funded	415,000	469,000	469,000	494,000	494,000	+79,000	+25,000	---	D	FF
Total, English Language Acquisition	665,000	665,000	665,000	690,000	690,000	+25,000	+25,000	---		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
SPECIAL EDUCATION										
State Grants:										
Grants to States Part B advance funded	5,072,000	5,072,000	5,072,000	7,572,000	5,672,000	+600,000	+600,000	-1,900,000	D	
Part B advance from prior year	(5,072,000)	(5,072,000)	(5,072,000)	(5,072,000)	(5,072,000)	---	---	---	NA	
Grants to States Part B current year	2,456,533	3,456,533	2,956,533	2,456,533	3,256,533	+800,000	+300,000	+800,000	D	FF
Grants to States, program level	7,528,533	8,528,533	8,028,533	10,028,533	8,928,533	+1,400,000	+900,000	-1,100,000		
Preschool Grants	390,000	390,000	390,000	390,000	390,000	---	---	---	D	FF
Grants for Infants and Families	417,000	437,000	437,000	437,000	437,000	+20,000	---	---	D	FF
Subtotal, State grants, program level	8,335,533	9,355,533	8,855,533	10,855,533	9,755,533	+1,420,000	+900,000	-1,100,000		
IDEA National Activities (current funded):										
State Program Improvement Grants	51,700	51,700	51,700	51,700	51,700	---	---	---	D	FF
Research and Innovation	78,380	78,380	78,380	70,000	77,715	-665	-665	+7,715	D	
Technical Assistance and Dissemination	53,481	53,481	53,481	53,481	53,481	---	---	---	D	
Personnel Preparation	90,000	90,000	90,000	95,000	92,500	+2,500	+2,500	-2,500	D	
Parent Information Centers	26,000	26,000	26,000	28,000	26,500	+500	+500	-1,500	D	
Technology and Media Services	37,710	32,710	32,710	37,710	38,210	+500	+5,500	+500	D	
Subtotal, IDEA special programs	337,271	332,271	332,271	335,891	340,106	+2,835	+7,835	+4,215		
Total, Special education	8,672,804	9,687,804	9,187,804	11,191,424	10,095,639	+1,422,835	+907,835	-1,095,785		
Current Year	(3,600,804)	(4,615,804)	(4,115,804)	(3,619,424)	(4,423,639)	(+822,835)	(+307,835)	(+804,215)		
FY 2004	(5,072,000)	(5,072,000)	(5,072,000)	(7,572,000)	(5,672,000)	(+600,000)	(+600,000)	(-1,900,000)		
Subtotal, Forward funded	(3,315,233)	(4,335,233)	(3,835,233)	(3,335,233)	(4,135,233)	(+820,000)	(+300,000)	(+800,000)		
REHABILITATION SERVICES AND DISABILITY RESEARCH										
Vocational Rehabilitation State Grants	2,481,383	2,533,492	2,533,492	2,533,492	2,533,492	+52,109	---	---	M	
Discretionary Supplement to Voc. Rehab. State Grants	---	82,833	---	---	---	---	---	---		
Vocational Rehabilitation Incentive Grants	---	30,000	---	---	---	---	---	---	D	
Client Assistance State grants	11,897	11,897	11,897	12,397	12,147	+250	+250	-250	D	
Training	39,629	42,629	39,629	42,629	39,629	---	---	-3,000	D	
Demonstration and training programs	21,238	17,492	17,492	21,238	21,032	-206	+3,540	-206	D	
Migrant and seasonal farmworkers	2,350	---	2,350	2,350	2,350	---	---	---	D	
Recreational programs	2,596	---	2,596	2,596	2,596	---	---	---	D	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
Protection and advocacy of individual rights (PAIR)	15,200	15,200	15,200	17,500	17,000	+1,800	+1,800	-500	D
Projects with industry	22,071	---	22,071	22,071	22,071	---	---	---	D
Supported employment State grants	38,152	---	38,152	38,152	38,152	---	---	---	D
Independent living:									
State grants	22,296	22,296	22,296	22,296	22,296	---	---	---	D
Centers	62,500	69,500	70,000	69,500	70,000	+7,500	---	+500	D
Services for older blind individuals	25,000	25,000	30,000	28,000	28,000	+3,000	-2,000	---	D
Subtotal, Independent living	109,796	116,796	122,296	119,796	120,296	+10,500	-2,000	+500	
Program Improvement	900	900	900	900	900	---	---	---	D
Evaluation	1,000	1,000	1,000	1,000	1,000	---	---	---	D
Helen Keller National Center for Deaf/Blind	8,717	8,717	8,717	8,717	8,717	---	---	---	D
National Inst. Disability and Rehab. Research (NIDRR)	110,000	110,000	110,000	110,000	110,000	---	---	---	D
Assistive Technology	60,884	30,884	30,884	27,000	27,000	-33,884	-3,884	---	D
Access to Telework Fund	20,000	---	---	---	---	-20,000	---	---	D
Subtotal, discretionary programs	464,430	468,348	423,184	426,346	422,890	-41,540	-294	-3,456	
Total, Rehabilitation services	2,945,813	3,001,840	2,956,676	2,959,838	2,956,382	+10,569	-294	-3,456	
SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES									
AMERICAN PRINTING HOUSE FOR THE BLIND	14,000	14,000	15,500	15,500	15,500	+1,500	---	---	D
NATIONAL TECHNICAL INSTITUTE FOR THE DEAF (NTID)									
Operations	50,000	49,414	50,900	53,000	52,450	+2,450	+1,550	-550	D
Endowment	---	1,000	1,000	---	---	---	-1,000	---	D
Construction	5,376	1,600	1,600	1,600	1,600	-3,776	---	---	D
Total, NTID	55,376	52,014	53,500	54,600	54,050	-1,326	+550	-550	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
GALLAUDET UNIVERSITY										
Operations	96,938	93,446	94,000	98,438	98,438	+1,500	+4,438	---	D	
Endowment	---	1,000	1,000	---	---	---	-1,000	---	D	
Total, Gallaudet University	96,938	94,446	95,000	98,438	98,438	+1,500	+3,438	---		
Total, Special Institutions for Persons with Disabilities	166,314	160,460	164,000	168,538	167,988	+1,674	+3,988	-550		
VOCATIONAL AND ADULT EDUCATION										
Vocational Education:										
Basic State Grants, current funded	389,000	389,000	409,000	389,000	409,000	+20,000	---	+20,000	D	FF
Advance from prior year	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---	NA	
FY 2004	791,000	791,000	791,000	791,000	791,000	---	---	---	D	
Basic State Grants, program level	1,180,000	1,180,000	1,200,000	1,180,000	1,200,000	+20,000	---	+20,000		
Tech-Prep Education State Grants	108,000	108,000	110,000	108,000	108,000	---	-2,000	---	D	FF
Tribally Controlled Postsec Voc/Tech Institutions	6,500	6,500	6,500	7,000	7,000	+500	+500	---	D	
National Programs	12,000	12,000	12,000	12,000	12,000	---	---	---	D	FF
Tech-Prep Education Demonstration	5,000	---	---	5,000	5,000	---	+5,000	---	D	FF
Occupational and Employment Information Program	9,500	---	---	10,000	9,500	---	+9,500	-500	D	FF
Subtotal, Vocational Education	1,321,000	1,306,500	1,328,500	1,322,000	1,341,500	+20,500	+13,000	+19,500		
Adult Education:										
State Grants, current funded	575,000	575,000	575,000	575,000	575,000	---	---	---	D	FF
National Programs										
National Leadership Activities	9,500	9,500	9,500	9,500	9,500	---	---	---	D	FF
National Institute for Literacy	6,560	6,560	6,560	6,560	6,560	---	---	---	D	FF
Subtotal, National programs	16,060	16,060	16,060	16,060	16,060	---	---	---		
Subtotal, Adult education	591,060	591,060	591,060	591,060	591,060	---	---	---		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate		
State Grants for Incarcerated Youth Offenders	22,000	---	---	25,000	23,500	+1,500	+23,500	-1,500	D	FF
Total, Vocational and adult education	1,934,060	1,897,560	1,919,560	1,938,060	1,956,060	+22,000	+36,500	+18,000		
Current Year	(1,143,060)	(1,106,560)	(1,128,560)	(1,147,060)	(1,165,060)	(+22,000)	(+36,500)	(+18,000)		
FY 2004	(791,000)	(791,000)	(791,000)	(791,000)	(791,000)	---	---	---		
Subtotal, forward funded	(1,136,560)	(1,100,060)	(1,122,060)	(1,140,060)	(1,158,060)	(+21,500)	(+36,000)	(+18,000)		
STUDENT FINANCIAL ASSISTANCE										
Pell Grants -- maximum grant (NA)	(4,000)	(4,000)	(4,000)	(4,100)	(4,050)	(+50)	(+50)	(-50)	NA	
Pell Grants -- Regular Program	11,314,000	10,863,000	11,200,110	11,180,000	11,439,000	+125,000	+238,890	+259,000	D	
Federal Supplemental Educational Opportunity Grants	725,000	725,000	725,000	725,000	765,000	+40,000	+40,000	+40,000	D	
Federal Work Study	1,011,000	1,011,000	1,011,000	1,011,000	1,011,000	---	---	---	D	
Federal Perkins Loans:										
Capital Contributions	100,000	100,000	100,000	100,000	100,000	---	---	---	D	
Loan Cancellations	67,500	67,500	67,500	67,500	67,500	---	---	---	D	
Subtotal, Federal Perkins loans	167,500	167,500	167,500	167,500	167,500	---	---	---		
LEAP program	67,000	---	67,000	67,000	67,000	---	---	---	D	
Loan Forgiveness for Child Care	1,000	1,000	1,000	1,000	1,000	---	---	---	D	
Total, Student Financial Assistance	13,285,500	12,767,500	13,171,610	13,151,500	13,450,500	+165,000	+278,890	+299,000		
FEDERAL FAMILY EDUCATION LOAN PROGRAM										
Federal Administration	48,836	---	---	---	---	-48,836	---	---	D	
HIGHER EDUCATION										
Aid for Institutional Development:										
Strengthening Institutions	73,625	76,275	76,275	82,000	82,000	+8,375	+5,725	---	D	
Hispanic Serving Institutions	86,000	89,096	89,096	93,000	93,000	+7,000	+3,904	---	D	
Strengthening Historically Black Colleges (HBCUs)	206,000	213,415	213,415	215,415	215,415	+9,415	+2,000	---	D	
Strengthening historically black graduate insts	49,000	50,764	50,764	53,764	53,764	+4,764	+3,000	---	D	
Strengthening Alaska & Hawaiian-Serving Insts	6,500	6,734	6,734	8,234	8,234	+1,734	+1,500	---	D	
Strengthening Tribal Colleges	17,500	18,130	18,130	23,000	23,000	+5,500	+4,870	---	D	
Subtotal, Aid for Institutional development	438,625	454,414	454,414	475,413	475,413	+36,788	+20,999	---		

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
International Education and Foreign Language:									
Domestic Programs	85,200	88,000	85,200	87,000	93,850	+8,650	+8,650	+6,850	D
Overseas Programs	11,800	13,000	11,800	13,000	13,000	+1,200	+1,200	---	D
Institute for International Public Policy	1,500	1,500	1,500	1,500	1,650	+150	+150	+150	D
Subtotal, International Ed & Foreign Lang	98,500	102,500	98,500	101,500	108,500	+10,000	+10,000	+7,000	
Fund for the Improvement of Postsec. Ed. (FIPSE)	180,922	39,138	39,138	126,926	172,737	-8,185	+133,599	+45,811	D
Minority Science and Engineering Improvement	8,500	8,500	8,500	9,500	9,000	+500	+500	-500	D
Interest Subsidy Grants	5,000	3,000	3,000	3,000	3,000	-2,000	---	---	D
Federal TRIO Programs	802,500	802,500	810,000	832,500	832,500	+30,000	+22,500	---	D
GEAR UP	285,000	285,000	285,000	295,000	295,000	+10,000	+10,000	---	D
Byrd Honors Scholarships	41,001	41,001	41,001	41,001	41,001	---	---	---	D
Javits Fellowships	10,000	10,000	10,000	10,000	10,000	---	---	---	D
Graduate Assistance in Areas of National Need	31,000	31,000	31,000	31,000	31,000	---	---	---	D
Teacher Quality Enhancement Grants	90,000	90,000	100,000	90,000	90,000	---	-10,000	---	D
Child Care Access Means Parents in School	25,000	15,000	15,000	16,300	16,300	-8,700	+1,300	---	D
Demonstration in Disabilities / Higher Education	7,000	---	---	7,000	7,000	---	+7,000	---	D
Underground Railroad Program	2,000	---	2,000	2,500	2,250	+250	+250	-250	D
GPRA data/HEA program evaluation	1,000	1,000	1,000	1,000	1,000	---	---	---	D
Thurgood Marshall Scholarships	4,000	---	4,000	5,000	5,000	+1,000	+1,000	---	D
B.J. Stupak Olympic Scholarships	1,000	---	1,000	---	1,000	---	---	+1,000	D
Total, Higher education	2,031,048	1,883,053	1,903,553	2,047,640	2,100,701	+69,653	+197,148	+53,061	
HOWARD UNIVERSITY									
Academic Program	203,500	203,500	206,026	206,000	206,026	+2,526	---	+26	D
Endowment Program	3,600	3,600	3,600	3,600	3,600	---	---	---	D
Howard University Hospital	30,374	30,374	30,374	30,374	30,374	---	---	---	D
Total, Howard University	237,474	237,474	240,000	239,974	240,000	+2,526	---	+26	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
College Housing and Academic Facilities Loans Program: (CHAFL)	762	762	762	762	762	---	---	---	D
HBCU Capital Financing Program -- Federal Adm	208	208	208	208	208	---	---	---	D
INSTITUTE OF EDUCATION SCIENCES									
Research and Statistics:									
Research	121,817	175,000	140,000	89,500	140,000	+18,183	---	+50,500	D
Regional Educational Laboratories	67,500	67,500	67,500	67,500	67,500	---	---	---	D
Statistics	85,000	95,000	95,000	87,000	90,000	+5,000	-5,000	+3,000	D
Assessment:									
National Assessment	107,500	90,825	90,825	90,825	90,825	-16,675	---	---	D
National Assessment Governing Board	4,053	4,562	4,562	4,562	4,562	+509	---	---	D
Subtotal, Assessment	111,553	95,387	95,387	95,387	95,387	-16,166	---	---	
Subtotal, Research and statistics	385,870	432,887	397,887	339,387	392,887	+7,017	-5,000	+53,500	
Multi-year Grants and Contracts	58,000	---	---	58,000	58,000	---	+58,000	---	D
Total, IES	443,870	432,887	397,887	397,387	450,887	+7,017	+53,000	+53,500	
DEPARTMENTAL MANAGEMENT									
PROGRAM ADMINISTRATION	418,798	411,795	411,795	412,093	412,545	-6,253	+750	+452	D
OFFICE FOR CIVIL RIGHTS	79,666	86,276	86,276	86,276	86,276	+6,610	---	---	D
OFFICE OF THE INSPECTOR GENERAL	38,588	41,000	41,000	41,000	41,000	+2,412	---	---	D
Total, Departmental management	537,052	539,071	539,071	539,369	539,821	+2,769	+750	+452	
STUDENT AID ADMINISTRATION									
Administrative Costs	---	932,000	105,388	105,388	105,388	+105,388	---	---	D
Fed Direct Student Loan Reclassification (Leg prop)	---	-795,000	---	---	---	---	---	---	D
Total: Elementary and Secondary Education Act programs	22,222,794	22,133,139	22,292,239	28,043,984	24,005,612	+1,782,818	+1,713,373	-4,038,372	
Total, Title III, Department of Education	52,416,982	52,843,371	52,843,371	60,695,685	55,979,061	+3,562,079	+3,135,690	-4,716,624	
Current Year	(37,405,681)	(37,832,070)	(37,832,070)	(41,940,384)	(38,723,760)	(+1,318,079)	(+891,690)	(-3,216,624)	
FY 2004	(15,011,301)	(15,011,301)	(15,011,301)	(18,755,301)	(17,255,301)	(+2,244,000)	(+2,244,000)	(-1,500,000)	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
TITLE IV - RELATED AGENCIES									
ARMED FORCES RETIREMENT HOME									
Operations and Maintenance	61,628	61,628	61,628	61,628	62,244	+616	+616	+616	D
Capital Program	9,812	5,712	5,712	5,712	5,769	-4,043	+57	+57	D
Total, AFRH	71,440	67,340	67,340	67,340	68,013	-3,427	+673	+673	
CORPORATION FOR NATIONAL AND COMMUNITY SERVICE 1/									
Volunteers in Service to America (VISTA)	85,287	94,287	94,155	94,287	94,287	+9,000	+132	---	D
Volunteers in Homeland Security	5,000	55,000	5,000	10,000	10,000	+5,000	+5,000	---	D
National Senior Volunteer Corps:									
Foster Grandparents Program	106,700	106,700	111,500	106,700	111,500	+4,800	---	+4,800	D
Senior Companion Program	44,395	46,563	46,563	46,563	46,563	+2,168	---	---	D
Retired Senior Volunteer Program	54,884	58,884	58,884	58,884	58,884	+4,000	---	---	D
Senior Demonstration Program	400	400	---	400	400	---	+400	---	D
Subtotal, Senior Volunteers	206,379	212,547	216,947	212,547	217,347	+10,968	+400	+4,800	
Program Administration	32,229	34,229	34,229	34,229	34,571	+2,342	+342	+342	D
Total, Domestic Volunteer Service Programs	328,895	396,063	350,331	351,063	356,205	+27,310	+5,874	+5,142	
CORPORATION FOR PUBLIC BROADCASTING:									
FY 2005 (current) with FY 2004 comparable	380,000	---	380,000	395,000	390,000	+10,000	+10,000	-5,000	D
FY 2004 advance with FY 2003 comparable (NA)	(365,000)	(380,000)	(380,000)	(380,000)	(380,000)	(+15,000)	---	---	NA
FY 2003 advance with FY 2002 comparable (NA)	(350,000)	(365,000)	(365,000)	(365,000)	(365,000)	(+15,000)	---	---	NA
Digitalization program, current funded	25,000	25,000	25,000	48,744	48,744	+23,744	+23,744	---	D
Subtotal, FY 2003 appropriation	25,000	25,000	25,000	48,744	48,744	+23,744	+23,744	---	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
FEDERAL MEDIATION AND CONCILIATION SERVICE	39,982	40,718	40,718	40,718	41,425	+1,443	+707	+707	D
FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION	6,939	7,127	7,127	7,127	7,178	+239	+51	+51	D
INSTITUTE OF MUSEUM AND LIBRARY SERVICES 2/	224,501	210,000	210,000	203,000	245,485	+20,984	+35,485	+42,485	D
MEDICARE PAYMENT ADVISORY COMMISSION	8,250	8,500	8,250	8,250	8,585	+335	+335	+335	TF
NATIONAL COMMISSION ON LIBRARIES AND INFO SCIENCE	1,000	---	1,000	1,000	1,010	+10	+10	+10	D
NATIONAL COUNCIL ON DISABILITY	2,830	2,830	2,830	2,830	2,858	+28	+28	+28	D
NATIONAL EDUCATION GOALS PANEL	400	---	---	---	---	-400	---	---	D
NATIONAL LABOR RELATIONS BOARD	226,618	233,223	226,618	238,223	238,982	+12,364	+12,364	+759	D
NATIONAL MEDIATION BOARD	10,635	11,203	11,203	11,203	11,315	+680	+112	+112	D
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION	8,964	9,577	9,577	9,577	9,673	+709	+96	+96	D
RAILROAD RETIREMENT BOARD									
Dual Benefits Payments Account	146,000	132,000	132,000	132,000	132,000	-14,000	---	---	D
Less Income Tax Receipts on Dual Benefits	-9,000	-8,000	-8,000	-8,000	-8,000	+1,000	---	---	D
Subtotal, Dual Benefits	137,000	124,000	124,000	124,000	124,000	-13,000	---	---	
Federal Payment to the RR Retirement Account	150	150	150	150	150	---	---	---	M
Limitation on Administration	97,700	97,720	100,000	97,720	100,000	+2,300	---	+2,280	TF
Inspector General	6,261	6,300	6,300	6,300	6,363	+102	+63	+63	TF

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
SOCIAL SECURITY ADMINISTRATION									
Payments to Social Security Trust Funds	434,400	20,400	20,400	20,400	20,400	-414,000	---	---	M
SPECIAL BENEFITS FOR DISABLED COAL MINERS									
Benefit payments	440,931	402,089	402,089	402,089	402,089	-38,842	---	---	M
Administration	5,909	6,088	6,088	6,088	6,088	+179	---	---	M
Subtotal, Black Lung, FY 2004 program level	446,840	408,177	408,177	408,177	408,177	-38,663	---	---	
Less funds advanced in prior year	-114,000	-108,000	-108,000	-108,000	-108,000	+6,000	---	---	M
Total, Black Lung, current request, FY04	332,840	300,177	300,177	300,177	300,177	-32,663	---	---	
New advances, 1st quarter FY 2004	108,000	97,000	97,000	97,000	97,000	-11,000	---	---	M
SUPPLEMENTAL SECURITY INCOME									
Federal benefit payments	29,046,000	31,795,664	31,795,664	31,795,664	31,795,664	+2,749,664	---	---	M
Beneficiary services	37,412	45,728	45,728	45,728	45,728	+8,316	---	---	M
Research and demonstration	37,000	30,000	30,000	38,000	38,000	+1,000	+8,000	---	M
Administration	2,627,000	2,825,000	2,825,000	2,825,000	2,825,000	+198,000	---	---	D
Subtotal, SSI program level	31,747,412	34,696,392	34,696,392	34,704,392	34,704,392	+2,956,980	+8,000	---	
Less funds advanced in prior year	-10,470,000	-10,790,000	-10,790,000	-10,790,000	-10,790,000	-320,000	---	---	M
Subtotal, regular SSI current year	21,277,412	23,906,392	23,906,392	23,914,392	23,914,392	+2,636,980	+8,000	---	
Additional CDR funding 3/	200,000	---	---	---	---	-200,000	---	---	D
User Fee Activities	100,000	111,000	111,000	111,000	111,000	+11,000	---	---	D
Total, SSI, current request	21,577,412	24,017,392	24,017,392	24,025,392	24,025,392	+2,447,980	+8,000	---	
New advance, 1st quarter, FY 2004	10,790,000	11,080,000	11,080,000	11,080,000	11,080,000	+290,000	---	---	M

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate	
LIMITATION ON ADMINISTRATIVE EXPENSES									
OASDI Trust Funds	3,219,700	3,775,200	3,775,200	3,775,200	3,775,200	+555,500	---	---	TF
HI/SMI Trust Funds	1,194,000	1,223,000	1,223,000	1,223,000	1,223,000	+29,000	---	---	TF
Social Security Advisory Board	1,800	1,800	1,800	1,800	1,800	---	---	---	TF
SSI	2,627,000	2,825,000	2,825,000	2,825,000	2,825,000	+198,000	---	---	TF
Subtotal, regular LAE	7,042,500	7,825,000	7,825,000	7,825,000	7,825,000	+782,500	---	---	
User Fee Activities (SSI)	100,000	111,000	111,000	111,000	111,000	+11,000	---	---	TF
TOTAL, REGULAR LAE	7,142,500	7,936,000	7,936,000	7,936,000	7,936,000	+793,500	---	---	
Additional CDR funding 3/									
OASDI	233,000	---	---	---	---	-233,000	---	---	TF
SSI	200,000	---	---	---	---	-200,000	---	---	TF
Subtotal, CDR funding	433,000	---	---	---	---	-433,000	---	---	
TOTAL, LAE	7,575,500	7,936,000	7,936,000	7,936,000	7,936,000	+360,500	---	---	
OFFICE OF INSPECTOR GENERAL									
Federal Funds	19,000	21,000	21,000	21,000	21,000	+2,000	---	---	D
Trust Funds	56,000	62,000	62,000	62,000	62,000	+6,000	---	---	TF
Total, Office of the Inspector General	75,000	83,000	83,000	83,000	83,000	+8,000	---	---	
Adjustment: Trust fund transfers from general revenues	-2,927,000	-2,936,000	-2,936,000	-2,936,000	-2,936,000	-9,000	---	---	TF
Total, Social Security Administration	37,966,152	40,597,969	40,597,969	40,605,969	40,605,969	+2,639,817	+8,000	---	
Federal funds	33,261,652	35,535,969	35,535,969	35,543,969	35,543,969	+2,282,317	+8,000	---	
Current year	(22,363,652)	(24,358,969)	(24,358,969)	(24,366,969)	(24,366,969)	(+2,003,317)	(+8,000)	---	
New advances, 1st quarter	(10,898,000)	(11,177,000)	(11,177,000)	(11,177,000)	(11,177,000)	(+279,000)	---	---	
Trust funds	4,704,500	5,062,000	5,062,000	5,062,000	5,062,000	+357,500	---	---	

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate
UNITED STATES INSTITUTE OF PEACE	15,104	16,200	15,104	16,200	16,362	+1,258	+1,258	+162 D
Total, Title IV, Related Agencies	39,557,821	41,853,920	42,183,517	42,234,414	42,282,317	+2,724,496	+98,800	+47,903
Federal Funds	34,741,110	36,679,400	37,006,967	37,060,144	37,105,369	+2,364,259	+98,402	+45,225
Current Year	(23,463,110)	(25,502,400)	(25,449,967)	(25,488,144)	(25,538,369)	(+2,075,259)	(+88,402)	(+50,225)
FY 2004 Advance	(10,898,000)	(11,177,000)	(11,177,000)	(11,177,000)	(11,177,000)	(+279,000)	---	---
FY 2005 Advance	(380,000)	---	(380,000)	(395,000)	(390,000)	(+10,000)	(+10,000)	(-5,000)
Trust Funds	4,816,711	5,174,520	5,176,550	5,174,270	5,176,948	+360,237	+398	+2,678

Title IV Footnotes:

1/ Appropriations for Americorps are provided in the VA-HUD bill.

2/ FY 2002 and FY 2003 includes both Interior and

3/ Two year availability.

SUMMARY

Federal Funds	401,009,122	415,302,651	415,766,523	425,234,918	420,452,140	+19,443,018	+4,685,617	-4,782,778
Current year	(321,400,884)	(330,544,364)	(330,628,236)	(336,337,631)	(333,059,853)	(+11,658,969)	(+2,431,617)	(-3,277,778)
2004 advance	(79,228,238)	(84,758,287)	(84,758,287)	(88,502,287)	(87,002,287)	(+7,774,049)	(+2,244,000)	(-1,500,000)
2005 advance	(380,000)	---	(380,000)	(395,000)	(390,000)	(+10,000)	(+10,000)	(-5,000)
Trust Funds	10,813,559	11,495,917	11,540,816	11,559,712	11,579,016	+765,457	+38,200	+19,304
Grand Total	411,822,681	426,798,568	427,307,339	436,794,630	432,031,156	+20,208,475	+4,723,817	-4,763,474

LABOR-HEALTH & HUMAN SERVICES-EDUCATION AND RELATED AGENCIES
(Amounts in thousands)

	FY 2002 Comparable	FY 2003 Request	HR 246	Senate	Conference	Conference vs. FY 2002 Comparable	Conference vs. FY 2003 HR 246	Conference vs. FY 2003 Senate
BUDGET ENFORCEMENT ACT RECAP								
Mandatory, total in bill	283,749,586	296,143,389	296,244,339	296,252,339	296,252,339	+12,502,753	+8,000	---
Less advances for subsequent years	-60,353,937	-65,883,986	-65,883,986	-65,883,986	-65,883,986	-5,530,049	---	---
Plus advances provided in prior years	49,527,451	60,353,937	60,353,937	60,353,937	60,353,937	+10,826,486	---	---
Total, mandatory, current year	272,923,100	290,613,340	290,714,290	290,722,290	290,722,290	+17,799,190	+8,000	---
Discretionary, total in bill	128,073,095	130,655,179	130,963,000	140,542,291	135,778,817	+7,705,722	+4,815,817	-4,763,474
Less advances for subsequent years	-19,254,301	-18,874,301	-19,254,301	-23,013,301	-21,508,301	-2,254,000	-2,254,000	+1,505,000
Plus advances provided in prior years	18,824,300	19,239,301	19,239,301	19,239,301	19,239,301	+415,001	---	---
Scorekeeping adjustments:								
Adjustment for leg cap on Title XX SSBGs	---	---	---	---	---	---	---	---
SSA User Fee Collection	-100,000	-111,000	-111,000	-111,000	-111,000	-11,000	---	---
Sec. 515 - SSA User Fee Collection	---	---	---	---	---	---	---	---
Emergency Appropriations in this bill	---	---	---	---	---	---	---	---
BLS Adjustment	---	---	---	---	---	---	---	---
AWIU contingency	374,374	330,000	---	---	---	-374,374	---	---
Title XX	---	---	---	---	---	---	---	---
TANF Transfer	---	---	---	---	---	---	---	---
Health Care Fraud and Abuse Limitation	---	---	-20,000	---	---	---	+20,000	---
OMB Retirement Accruals	---	708,000	---	---	---	---	---	---
Sec. 215 NIH delay in obligations	---	---	---	---	---	---	---	---
Title VI - Mark-to-Market	-354,000	---	---	---	---	+354,000	---	---
Rescission of CPB FY 2003 Advance	---	---	-15,000	---	---	---	+15,000	---
CPB FY 2003 S&E adjustment	---	---	---	---	183	+183	+183	+183
Across the Board Admin Expenses Reduction	---	---	---	-138,264	---	---	---	+138,264
Total, discretionary (FY02 comparable)	127,563,468	131,947,179	130,802,000	136,519,027	133,399,000	+5,835,532	+2,597,000	-3,120,027
Adjustment to balance with 2002 enacted	-373,394	---	---	---	---	+373,394	---	---
Total, discretionary (FY02 enacted)	127,190,074	131,947,179	130,802,000	136,519,027	133,399,000	+6,208,926	+2,597,000	-3,120,027
Grand total, current year (incl FY 2002 comparable)	400,486,568	422,560,519	421,516,290	427,241,317	424,121,290	+23,634,722	+2,605,000	-3,120,027
Grand total, current year (incl FY 2002 enacted)	400,113,174	422,560,519	421,516,290	427,241,317	424,121,290	+24,008,116	+2,605,000	-3,120,027

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates and the House and Senate bills for 2003 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$411,822,681
Budget estimates of new (obligational) authority, fiscal year 2003	426,798,568
House bill, fiscal year 2003	427,307,339
Senate bill, fiscal year 2003	436,794,630
Conference agreement, fiscal year 2003	432,031,156
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	+20,208,475
Budget estimates of new (obligational) authority, fiscal year 2003	+5,232,588
House bill, fiscal year 2003	+4,723,817
Senate bill, fiscal year 2003	-4,763,474

DIVISION H—LEGISLATIVE BRANCH APPROPRIATIONS, 2003

LEGISLATIVE BRANCH WIDE MATTERS

The conferees direct the legislative branch entities to establish a legislative branch chief administrative officers council that will meet regularly on administrative issues of concern to the legislative branch. Such a council is to be modeled after the Legislative Branch Financial Managers Council. Wherever a chief administrative officer does not exist in a legislative branch entity, a senior-level employee should be designated to serve in this capacity. Through this council, representatives will be able to define, review and discuss policies, security issues, mail issues, personnel practices, procedures and systems for such areas as human resources, information technology, and general management. This will facilitate consistency in systems development wherever appropriate, sharing of ''lessons learned,'' and the elimination of duplicative efforts. The conferees direct the General Accounting Office to work with the agencies of the legislative branch to establish the council and the council and GAO must be prepared to report to the Committees on Appropriations of the Senate and the House during the annual budget hearing process beginning with fiscal year 2005.

The conferees recognize the provisions of H.R. 5121 and House Report 107–576 and any instructions and detail included in such report are to be adhered to, unless amended or restated herein.

Many items in both House and Senate Legislative Branch Appropriations bills are identical and are included in the conference agreement without change. The conferees have endorsed statements of policy contained in the House and Senate reports accompanying the appropriations bills, unless amended or restated herein. With respect to those items in the conference agreement that differ between House and Senate bills, the conferees have agreed to the following with the appropriate section numbers, punctuation, and other technical corrections:

TITLE I—LEGISLATIVE BRANCH APPROPRIATIONS

SENATE

Appropriates $667,788,000 for Senate operations. Inasmuch as these items relate solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the amendments of the Senate.

HOUSE OF REPRESENTATIVES

Appropriates $956,086,000 for House operations. Inasmuch as these items relate solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the amendments of the House.

The managers on the part of the House encourage the Chief Administrative Officer (CAO) to contract with an organization that is very familiar with the House, the operations and activities of House offices, and the personnel that work in these offices, to assess the professional development needs of the House workforce. The CAO should report the findings to the Committee on Appropriations and the Committee on House Administration.

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

Appropriates $3,658,000 for the Joint Economic Committee as proposed by the House and by the Senate.

JOINT COMMITTEE ON TAXATION

Appropriates $7,643,000 for the Joint Committee on Taxation instead of $7,323,000 as proposed by the House and the Senate.

OFFICE OF THE ATTENDING PHYSICIAN

Appropriates $3,000,000 for the Office of the Attending Physician as proposed by the House and by the Senate, of which $300,000 shall be available until expended. This amount includes $1,414,000 for reimbursement to the Department of Navy for expenses incurred as proposed by the House and by the Senate.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

Appropriates $3,035,000 for the Capitol Guide Service and Special Services Office as proposed by the House and by the Senate.

STATEMENT OF APPROPRIATIONS

Appropriates $30,000 for Statement of Appropriations as proposed by the House and by the Senate.

CAPITOL POLICE

SALARIES

Appropriates $175,675,000 for salaries of officers, members, and employees of the Capitol Police. The conferees direct the Chief of the Capitol Police make retroactive to the first full pay period in October 2002 any comparability adjustment in pay.

The conferees direct that not later than 120 days after enactment of this Act, the Capitol Police Board report to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Rules and Administration of the Senate, and the Committee on House Administration on a proposed new pay structure, the budgetary impact of the proposed structure, and a detailed plan of how the proposed structure would be implemented which is consistent with the requirements of P.L. 105–55.

The FY 2001 Legislative Branch Appropriations Act, as amended (P.L. 106–346), required the General Accounting Office (GAO) to participate in the selection of a Chief Administrative Officer (CAO) for the United States Capitol Police (USCP) and monitor the implementation of management improvements in budgeting, financial management, information technology, and human resources. The law required GAO to provide quarterly reports to the Chief of the Capitol Police, Capitol Police Board, and congressional appropriations and oversight committees having jurisdiction over the Capitol Police through September 30, 2002 on USCP's implementation efforts. Much progress has been made by the CAO to improve overall administrative operations of the Capitol Police. However, there are still some significant concerns on the part of the conferees about the need for the USCP to update their strategic plan to reflect post-September 11, 2001 changes, and to implement an effective management strategy in the agency, particularly with respect to human resources. Therefore, the conferees direct the GAO to continue monitoring all CAO operations of the USCP, with special attention to the strategic planning process and human resources management. GAO is directed to provide to the Capitol Police and congressional committees noted above semi-annual reports on the CAO's continued implementation of management improvements in budgeting, financial management, information technology, developing and implementing an effective overall strategic planning process and human resource management strategy. The conferees direct that these reports continue through FY 2006.

In the wake of September 11, 2001, security concerns led to the posting of signs prohibiting bicyclists on the Capitol grounds. The Capitol grounds have been a link to Capitol Hill, the National Mall and downtown for years and bicycling is a form of transportation that helps alleviate traffic congestion, promotes physical activity, and does not contribute to air pollution. The conferees urge the Capitol Police and the Architect of the Capitol to work with the District Department of Transportation to create safe routes for bicyclists in and/or around the Capitol grounds in a manner that encourages bicycling without sacrificing security concerns. The upcoming year is a critical time for this planning to take place as the construction of the Capitol Visitors Center progresses and the City of Washington updates its Bike Master Plan. The Capitol Police and the Architect of the Capitol should report to the Committees on Appropriations of the Senate and the House on a plan of action to coordinate with the District Department of Transportation on addressing this issue.

GENERAL EXPENSES

Appropriates $28,100,000, of which $1,400,000 shall remain available until expended for general expenses of the Capitol Police.

ADMINISTRATIVE PROVISIONS

The conferees have included an administrative provision allowing for the transfer of funds upon the approval of the Committees on Appropriations of the House and Senate. In addition, the conferees have included provisions that authorize the Capitol Police to: procure severable services; dispose of surplus or obsolete property; hire without regard to age; establish an educational assistance program; expand the current training program; centralize their disbursing authority; annualize premium pay limits; provide overtime compensation to Lieutenants and above; appoint special officers and establish specialty assignment pay. In addition, the conferees have included technical corrections to existing recruitment and relocation incentives, and for compensation of the Chief of Police, the Assistant Chief of Police, and the Chief Administrative Officer. Language is included which redefines the mission and the composition of the Capitol Police Board; provides for the merger of the Capitol Police with the Library of Congress Police; and, clarifies the authority of the Capitol Police to police the Botanic Garden. Language is

also included which permits the Capitol Police to appoint employees at a rate of pay at or above step one of the pay grade in which the employee is appointed. In addition, language has been included which directs the regulations and approvals of various provisions be completed within sixty days of enactment of this Act. The conferees have also directed the development of a long-term strategic plan.

OFFICE OF COMPLIANCE

Appropriates $2,059,000 for the Office of Compliance as proposed by the House and the Senate. Authority has been provided for the Executive Director of the Office of Compliance to dispose of surplus or obsolete property.

The Office of Compliance was established as an independent office within the Legislative Branch to implement and enforce the provisions of the Congressional Accountability Act of 1995. The principal functions of the Office include enforcing 11 civil rights, labor, and workplace laws within the Legislative Branch, which entails administering a procedure to resolve disputes and to provide remedies if violations are found; carrying out an education program for congressional Members, employing entities of the Legislative Branch, and employees with regard to the provision of the laws applied to the Legislative Branch; and compiling and publishing statistics on the use of Office by covered employees.

Federal standards of internal and management controls and prevailing best practices for governing call for periodically reviewing an organization's structure, functions (i.e., mission and roles), and processes to (1) determine whether they are functioning well, and ensure that they reflect changes in circumstances and (2) ensure sound governance, oversight, and accountability. Since its creation, no comprehensive review of the Office of Compliance and its operations has been conducted. Thus, the conferees direct the General Accounting Office to assess the overall effectiveness and efficiency of the Office of Compliance in fulfilling its responsibilities and role in achieving the overall intent and purposes of the Congressional Accountability Act. The review should include examining the effectiveness and efficiency of the Office's administration and enforcement of the Act and the administrative and judicial dispute-resolution procedures for considering alleged violations of the laws; the operations of the Board of Directors; and the assistance and services provided by the Office to employing offices of the Legislative Branch in fulfilling their responsibilities under the Act. The GAO should make recommendations, as appropriate, to enhance the overall effectiveness and efficiency of the Office of Compliance to achieve the purposes of the Act. The GAO should report its findings to the Committees on Appropriations of the House and Senate by March 31, 2003.

CONGRESSIONAL BUDGET OFFICE

Appropriates $32,101,000 for salaries and expenses of the Congressional Budget Office as proposed by the Senate instead of $32,390,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS

Language has been included authorizing employees of the CBO to engage in details or other temporary assignments to other government agencies for study and work experience. In addition, a provision has been included regarding the purchases and contracts made by the Congressional Budget Office.

ARCHITECT OF THE CAPITOL

GENERAL ADMINISTRATION

Appropriates $59,343,000 for Architect of the Capitol, general administration. Of the amount appropriated $450,000 shall remain available until September 30, 2007.

The conferees expect the Architect of the Capitol to continue to observe closely limitations on full-time equivalent (FTE) positions. It is noted, however, that funding was provided for various projects with no commensurate increase in the FTE ceiling. Accordingly, the conferees provide relief from the fiscal year 2003 FTE ceiling for delivery of those projects under the condition that the Committees on Appropriations of the House of Representatives and Senate be notified prior to the increase in the FTE ceiling.

The conferees have provided a new budget line item under various accounts for Design, Study and Condition Assessment of projects. The Architect of the Capitol is to notify the Committees on Appropriations of the House of Representatives and the Senate 21 days prior to moving forward with these projects.

The Architect of the Capitol is to report semi-annually to the Committees on Appropriations of the House of Representatives and the Senate on the expenditure of funds for attendance at meetings and conventions.

The conferees note the completion of the General Management Review (GMR) of the Architect of the Capitol (AOC) conducted by the General Accounting Office (GAO) and commend the Architect for his willingness to effect recommended changes in the AOC's management policies and practices. The conferees believe that the continued involvement of the GAO throughout the Architect's development and implementation of a plan that effects GMR recommendations will be of considerable value. Therefore, the conferees direct the GAO to monitor the Architect on the development and implementation of the required plan. In addition, the GAO is to monitor the establishment of various positions to implement the plan. The conferees also direct the GAO to evaluate implementation efforts as well as the results of management changes, including the timely accomplishment of the implementation plan milestones, and report the results of that evaluation semi-annually to the House and Senate Committees on Appropriations, and the Senate Committee on Rules and Administration. These reports should continue until all changes in the plan have been implemented.

Section 133 of the Legislative Branch Appropriations Act, 2002 (P.L. 107–68) generally prohibits the Architect of the Capitol from employing temporary workers for long periods without providing them eligibility for employee benefits. During the implementation of Section 133, questions arose concerning its application to temporary workers covered by collective bargaining agreements entered into by the Architect providing eligibility for private-sector employee benefits in lieu of federal benefits. The conferees direct the Architect to work with the General Accounting Office to determine the proper manner of completing the implementation of Section 133 and to consult with the Internal Revenue Service concerning the proper tax treatment of benefits and contributions. The Architect is directed to report to the House and Senate Appropriations Committees, and the Senate Committee on Rules and Administration on the results of his efforts by May 31, 2003.

With respect to the object class and projects, the conferees have agreed to the following:

Operating Budget	$55,275,000
Capital Projects:	
Implementation of Safety Programs	450,000
Security Project Support for AOC	125,000
Financial Management System (FMS)	1,627,000
Implementation of AOCNET	500,000
Computer-Aided Facility Management (CAFM)	1,366,000
Total, General Administration	$59,343,000

CAPITOL BUILDING

Appropriates $32,094,000 for maintenance, care and operation of the Capitol, by the Architect of the Capitol. Of the amount appropriated $19,065,000 shall remain available until September 30, 2007.

With respect to object class and project, the conferees have agreed to the following:

Operating Budget	$10,886,000
Capital Projects:	
ADA Requirements	75,000
Replacement of Minton Tile	200,000
Roofing Repair, around House and Senate Chambers	160,000
Elevator/Escalator Modernization Program	500,000
Door Refinishing/Restoration	289,000
Chandelier Restoration & Crystal Globe Replacement	319,000
Conservation of Wall Paintings	300,000
Replace High Voltage SWGR & Cables	2,000,000
Upgrade Air Conditioning, East Front Capitol	12,000,000
Computer, Telecom & Electrical Support	300,000
Design, Study and Condition Assessment	5,065,000
Total, Capitol Building	$32,094,000

CAPITOL GROUNDS

Appropriates $8,356,000 for the care and improvements of the grounds surrounding the Capitol, House and Senate office buildings, and the Capitol Power Plant, by the Architect of the Capitol. Of the amount appropriated $1,780,000 shall remain available until September 30, 2007.

With respect to object class and projects, the conferees have agreed to the following:

Operating Budget	$6,041,000
Capital Projects:	
Replace Truck	80,000
Wayfinding and ADA Compliant Signage	430,000
Maintenance of Outdoor Sculpture, Garfield & Peace	25,000
Power Requirements	1,200,000
Study, Design, and Condition Assessment	580,000
Total, Capitol Grounds	$8,356,000

SENATE OFFICE BUILDINGS

Appropriates $64,871,000 for the maintenance, care, and operation of the Senate office buildings to the Architect of the Capitol, of which $21,600,000 shall remain available until September 30, 2007. Inasmuch as this item relates solely to the Senate, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the House, at the request of the managers on the part of the Senate, have receded to the Senate.

With respect to object class and projects, the Senate conferees have agreed to the following:

Operating Budget	$43,163,000
Capital Projects:	
Kitchen Exhaust and Kitchen Redesign, Webster Hall	108,000

Renovate Restrooms (ADA)	2,100,000
Bus Ducts and Switchgear Replacement	1,950,000
Repair Waterproofing under RSOB's South Steps	1,800,000
Modernize Elevators	3,060,000
Mechanical Renovations, DSOB	940,000
Minor Construction	10,000,000
Design, Study and Condition Assessment	1,750,000
Total, Senate Office Buildings	$64,871,000

HOUSE OFFICE BUILDINGS

Appropriates $60,960,000 for the maintenance, care, and operation of the House office buildings to the Architect of the Capitol, of which $25,610,000 shall remain available until September 30, 2007. Inasmuch as this item relates solely to the House, and in accord with long practice under which each body determines its own housekeeping requirements and the other concurs without intervention, the managers on the part of the Senate, at the request of the managers on the part of the House, have receded to the House.

With respect to object class and projects, the House conferees have agreed to the following:

Operating Budget	$32,650,000
Capital Projects:	
Egress Door Improvements	200,000
Sound Improvements, Committee Hearing Rooms	280,000
Elevator Modernization Program	1,460,000
Minor Construction	9,000,000
Upgrade Fire Alarm, E&W House Garages	880,000
Replace FP Low Voltage Switchgears, FHOB	750,000
Major Elevator Equipment Improvements, HOB	120,000
Design, Study and Condition Assessment	10,020,000
Wayfinding Signage	1,100,000
House Office Building Master Plan	1,000,000
Longworth Emergency Generator Project	3,500,000
Total, House Office Buildings	$60,960,000

CAPITOL POWER PLANT

In addition to the $4,400,000 made available from receipts credited as reimbursements to this appropriation, appropriates $102,286,000 to the Architect of the Capitol for maintenance, care and operation of the Capitol power plant. Of this amount, $61,736,000 shall remain available until September 30, 2007.

With respect to object class and projects the conferees have agreed to the following:

Operating Budget	$39,967,000
Capital Projects:	
Implement Emergency Shoring and Repairs to Tunnels	100,000
Repair South Capitol Street Steam Line	10,289,000
Repair Constitution Avenue Tunnel	8,500,000
West Refrigeration Plant Expansion	41,000,000
Install Dual Low Nox Burners, Boilers 6 & 7	400,000
Procure Emergency Generator	1,500,000
Update CAD Drawings	80,000
Study, Design and Condition Assessment	450,000
Total, Capitol Power Plant	$102,286,000

LIBRARY BUILDINGS AND GROUNDS

Appropriates $37,521,000 for structural and mechanical care, Library buildings and grounds. Of this amount, $18,014,000 shall remain available until September 30, 2007 and $5,500,000 shall remain available until expended.

With respect to object class and projects the conferees have agreed to the following:

Operating Budget:	$11,754,000
Capitol Projects:	
Replace Partition Supports, JMMB	300,000
Additional Sprinklers, JMMB	1,383,000
Upgrade Emergency Generators, JAB & TJB	300,000
Repair Roof under East Parking Lot, TJB	2,180,000
Audio Visual Conservation Center	5,500,000
Modernize 4 Elevators	980,000
Design & Construction of Book Storage Module 2, Ft. Meade	9,566,000
HVAC NW Curtain, TJB	453,000
Study, Design & Conditions Assessment	2,905,000
Replace Compact Stack Safety, JMMB	300,000
Repair Life Safety Deficiencies	1,000,000
ADA Requirements, LB&G	100,000
Replace Sidewalks, TJB & JAB	100,000
Restore Decorative Painting, TJB & JAB	100,000
LOC Room & Partition Modifications	500,000
Preservations Environmental Monitoring	100,000
Total, Library Buildings and Grounds	$37,521,000

CAPITOL POLICE BUILDINGS AND GROUNDS

Appropriates $23,900,000 for the maintenance, care, and operations of Capitol Police Buildings and Grounds to the Architect of the Capitol, of which $23,500,000 shall remain available until September 20, 2007.

The conferees direct the Architect of the Capitol to provide a fiscal year 2003 obligation plan, by April 30, 2003, to include personnel compensation and associated FTEs for Capitol Police Buildings and Grounds.

The conferees direct that the General Accounting Office, working with the United States Capitol Police and the Office of the Architect of the Capitol, prepare a report regarding the feasibility of transferring jurisdiction of the United States Capitol Police Buildings and Grounds to the Capitol Police, and that the study be provided to the Committees on Appropriations by May 15, 2003.

With respect to object class and projects the conferees have agreed to the following:

Operating Budget	$ 400,000
Capital Projects:	
Design Offsite Delivery/Screening Center, USCP	2,000,000
Offsite Delivery/Screening Center, USCP	5,000,000
Design, Tactical Training, Cheltenham, MD	1,500,000
Other Facility Improvements	15,000,000
Total, Capitol Police Buildings and Grounds	$23,900,000

BOTANIC GARDEN

Appropriates $6,103,000 for salaries and expenses, Botanic Garden, of which $120,000 shall remain available until September 30, 2007.

With respect to object class and projects the conferees have agreed to the following;

Operating Budget	$4,646,000
Capital Projects:	
Fire Alarm System Upgrades, DC Village	25,000
Shade Curtain Replacement	22,000
CAFM Data Capture—USBG	50,000
Interpretative Illustrations—Conservatory Garden Court	225,000
West Gallery Fabric, Audio Tour and Banners	652,000
Vehicle Replacement	43,000
Book on History of Botanic Gardens	20,000
Partnerships	300,000
Study, Design and Condition Assessment	120,000
Total, Botanic Garden	$6,103,000

ADMINISTRATIVE PROVISIONS

The conference agreement includes administrative provisions related to small purchase contracting authority; multi-year contract authority; establishment of a position of the Deputy Architect of the Capitol; delegation of authority by the Architect; compensation of the Assistant Architect of the Capitol; allocation of responsibility for Library buildings and grounds, and a technical correction.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

Provides $358,474,000 for salaries and expenses, Library of Congress, and authorizes 2,841 full time equivalents.

With respect to program/project increases the conferees have agreed to the following:

Mandatory Pay and Benefits	$10,747,000
Price Level Increases	2,163,000
Digital Futures	17,200,000
Central Financial Management System	4,250,000
Law Library GLIN Project	2,903,000
Culpeper Shelving	1,000,000
Collections Relocation	1,439,000
Arrearage Reduction	896,000
Mass Deacidification	895,000
Lewis and Clark Exhibition	989,000
Louisiana Purchase Bicentennial	500,000
Veterans History Project	476,000
Safety Services	308,000
Transfer of the Furniture and Furnishings Appropriation	6,554,000

COPYRIGHT OFFICE

SALARIES AND EXPENSES

Provides $9,714,000, including $29,512,000 made available from receipts, for salaries and expenses, Copyright Office. The level provided supports 530 full time equivalents.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

Appropriates $86,952,000 for salaries and expenses, Congressional Research Service. The level provided supports 742 full time equivalents.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

Appropriates $50,963,000 for salaries and expenses, books for the blind and physically handicapped. The level provided supports 128 full-time equivalents. The conference agreement provides a one-time appropriation of $1 million dollars to defray telecommunications costs for the National Federation of the Blind ''NEWSLINE,'' audio daily newspaper service. The conferees support continued use of this computerized telecommunications technology as part of the Library's conversion to digital media and direct the Librarian to seek cost advantages that may result from combining distribution of audio editions of magazines with newspapers using this technology.

ADMINISTRATIVE PROVISIONS

The conference agreement includes several routine administrative provisions and amendments related to Library programs.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(INCLUDING TRANSFER OF FUNDS)

Appropriates $90,143,000 for Congressional Printing and Binding as proposed by the House and by the Senate.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $29,661,000 for salaries and expenses, Office of Superintendent of Documents as proposed by the House and the Senate.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

Appropriates $451,134,000 for salaries and expenses, General Accounting Office.

PAYMENT TO THE OPEN WORLD LEADERSHIP CENTER

TRUST FUND

Appropriates $13,000,000 to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center. The conferees want it clearly understood that the renaming of the trust fund in no way provides for the creation of a new trust fund within the Department of the Treasury.

ADMINISTRATIVE PROVISION

The conferees have included an administrative provision, which amends Section 313 of the Legislative Branch Appropriations Act, 2001 (P.L. 106–554) renaming the former ''Center for Russian Leadership Development'' to the ''Open World Leadership Center.'' This name change reflects the expansion of the Center's program to eligible foreign states other than the Russian Federation. The conferees direct that prior to implementation of the FY 2003 program, an obligation plan be submitted to the Committees on Appropriations of the Senate and House reflecting the funding allocation and program objectives for existing and new program elements.

TITLE II—GENERAL PROVISIONS

In Title II, General Provisions, section numbers have been changed to conform to the conference agreement, provisions related to the John C. Stennis Center and the Congressional Award Act have been included, a provision related to electronic W–2's has been included, and a limitation regarding the transfer of funds has also been included. The conferees have also included, under Division P, language and funding regarding the U.S.—China Economic and Security Review Commission.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$3,252,423
Budget estimates of new (obligational) authority, fiscal year 2003	3,405,108
House bill, fiscal year 2003	2,671,900
Senate bill, fiscal year 2003	3,359,830
Conference agreement, fiscal year 2003	3,358,350
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	+105,927
Budget estimates of new (obligational) authority, fiscal year 2003	−46,758
House bill, fiscal year 2003	+686,450
Senate bill, fiscal year 2003	−1,480

DIVISION I—TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS, 2003

TITLE I

DEPARTMENT OF TRANSPORTATION

CONGRESSIONAL DIRECTIVES

The conferees agree that Executive Branch propensities cannot substitute for Congress' own statements concerning the best evidence of Congressional intentions; that is, the official reports of the Congress. The committee of conference approves report language included by the House (House Report 107–722) or the Senate (as delineated materials accompanying Senate Amendment No. 1 to H.J. Res. 2 and printed in the Congressional Record of January 15, 2003) that is not changed by the conference. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

OFFICE OF THE SECRETARY

(SALARIES AND EXPENSES)

The conference agreement provides $89,447,000 for the salaries and expenses of the office of the secretary instead of $82,474,000 as proposed by the House and $83,069,000 as proposed by the Senate. Bill language is included that specifies amounts by office, consistent with actions in prior years, and limits transfers among each office to no more than 5 percent. The bill language specifies that any transfer greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations. The following table summarizes the fiscal year 2003 appropriation for each office:

Immediate office of the Secretary	$2,211,000
Immediate office of the Deputy Secretary	809,000
Executive Secretariat	1,391,000
Under Secretary of Transportation for Policy	12,452,000
Office of the General Counsel	15,657,000
Office of the Assistant Secretary for budget and programs	8,375,000
Office of the Assistant Secretary for governmental affairs	2,453,000
Office of the Assistant Secretary for administration	29,071,000
Office of public affairs	1,926,000
Board of Contract Appeals	611,000
Office of small and disadvantaged business utilization	1,304,000
Office of the chief information officer	13,187,000

Within the amounts provided, the conferees have denied funding for FECA administrative increases (−$22,000), the security survey for the new building (−$165,000), and some of the new increases in the budget for information technology initiatives not related to security (−$2,800,000).

The conferees direct the office of the secretary to submit its congressional justification materials in support of the individual offices of the offices of the secretary at the same level of detail provided in the congressional justifications presented in fiscal year 2003.

Bill language, as proposed by both the House and the Senate, allows the Department to spend up to $60,000 for official reception and representation activities.

The conference agreement includes bill language that credits to this appropriation up to $2,500,000 in funds received in user fees.

Administrative directions.—The conferees direct the department to submit its annual congressional justifications for each modal administration to the House and Senate Committees on Appropriations on the date on which the President's budget is delivered officially to Congress.

Office of Intelligence and Security.—The fiscal year 2003 budget did not request any funding for the Office of Intelligence and Security because it had been transferred to the Transportation Security Administration, which will be part of the new Department of Homeland Security. The Secretary may make arrangements to have one staff detailed to him from this new Department so that he remains informed on intelligence and security matters pertaining to transportation. There is sufficient funding within the salaries and expenses account to pay for this detailee.

Aviation claims.—The conference agreement includes a rescission of $90,000,000 from funds enacted to compensate airlines for losses incurred in the aviation system disruption in the aftermath of the September 11, 2001 terrorist attacks. The conferees have been assured by the department that the rescinded funds are unnecessary to meet all of the outstanding or anticipated claims from air carriers. Such claims include applications that the department has not processed or that are involved in litigation. The conferees direct the Secretary to provide quarterly reports to the House and Senate Committees on Appropriations listing all remaining air carrier claims and all unprocessed applications for claims and the amounts requested, the names of air carriers with outstanding claims, and the steps taken to resolve those outstanding claims; to provide an anticipated timeline for resolution of outstanding claims and applications; and to list the remaining uncommitted funds and balances still available to pay those outstanding claims and applications.

Report distribution.—The conferees direct the department to adopt written procedures for report distribution similar to the standards in place and followed before February 28, 2002. The House Appropriations Committee has seen serious violations of the report distribution policy in 2002. In addition, the conferees direct the department to refrain from attaching miscellaneous documents, including reports, to Congressional testimony without prior consultation.

Outstanding reports.—The conference agreement continues a long standing policy directing the Office of the Assistant Secretary for Budget and Programs to report quarterly on the status of all outstanding reports and reporting requirements including how delinquent congressionally mandated or requested reports are and an estimated date for delivery.

Tier matching based on fiscal capability.—At present, federal grant programs administered by the Federal Highway Administration, Federal Aviation Administration, and Federal Transit Administration require an identical match of all communities without regard to their financial circumstances. Some have asserted that this policy places a disproportionate burden on lower-income jurisdictions and prevents these jurisdictions from fully participating in the very programs necessary to improve conditions. The conferees take no position on this assertion. However, for the purpose of information gathering, the conferees separately request the FHWA, FAA, and FTA to each provide reports covering the programs within each administration to the House and Senate Committees on Appropriations by March 15, 2003 which address this contention. Should the agencies believe that contention has merit, they may as part of these reports, propose a tiered matching system for non-federal contributions based upon the fiscal capability of the grantee and which does not increase over the existing grant programs

each program's cumulative financial burden on each administration.

Alternatively fueled vehicles.—The conferees urge the Department of Transportation to adhere to the Federal mandates in the 1992 Energy Policy Act (P.L. 102–486) by purchasing alternatively fueled vehicles when feasible. The department should set an example for other government agencies by purchasing flexible fuel vehicles in order to help lessen our reliance on foreign oil.

OFFICE OF CIVIL RIGHTS

The conference agreement provides $8,700,000 for the office of civil rights as proposed by the Senate instead of $8,500,000 as proposed by the House.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

The conference agreement provides $21,000,000 for transportation planning, research, and development as proposed by the Senate instead of $11,157,000 as proposed by the House. Adjustments to the budget request shall be available for the following activities:

Texas Transportation Institute	+$1,000,000
Bypass mail system computer software and hardware upgrades, AK	+500,000
Circumpolar infrastructure task force, Arctic Council and Northern Forum, AK	+500,000
Delaware Memorial Bridge collision avoidance project, DE	+1,000,000
DOT's privacy practices third party evaluation	+750,000
Northeast advanced vehicle consortium fuel cell, CT	+1,500,000
Office for Infrastructure Transportation and Logistics, AL	+1,000,000
Strategic freight transportation analysis, WA	+1,375,000
UAL fuel cell/hybrid electric research program, AL	+1,000,000
WestStart's vehicular flywheel project, WA	+1,375,000

WORKING CAPITAL FUND

The conference agreement includes a limitation of $131,766,000 for working capital fund activities instead of a limitation of $131,766,000 on the transportation administration service center (TASC) as proposed by the House and a limitation of $131,779,000 on the TASC as proposed by the Senate. The Department of Transportation abolished TASC at the end of calendar year 2002. In its place, DOT re-established a working capital fund to provide necessary services (e.g., printing, security, parking, etc.) to all modal entities within the department.

Modal usage of the working capital fund.—The conferees direct the department, in its fiscal year 2004 Congressional justifications for each modal administration, to account for increases and decreases in working capital fund billings based on planned usage requested or anticipated by the modes.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

The conference agreement provides an appropriation of $900,000 for the minority business resource center program and limits the loans to $18,367,000 as proposed by both the House and the Senate.

MINORITY BUSINESS OUTREACH

The conference agreement provides a total of $3,000,000 for minority business outreach as proposed by the House and the Senate.

NEW HEADQUARTERS BUILDING

The conference agreement denies funding for the new DOT headquarters building as proposed by the Senate. The House recommended $25,000,000 for tenant build outs related to the new building.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides a total of $113,000,000 for payments to air carriers. Of this total, $52,100,000 is in direct appropriations; $50,000,000 is to be derived from overflight user fees and, if necessary, unobligated balances from the Federal Aviation Administration; and $10,900,000 is to be derived from carryover balances. The House proposed a total program level of $113,000,000 for the payments to air carriers program, of which $50,000,000 was from overflight fees or other funds available for the Federal Aviation Administration; $50,000,000 was in direct appropriations; and $13,000,000 was in carryover balances. The Senate proposed a total program level of $128,000,000, of which $50,000,000 was from overflight fees or other funds available for the Federal Aviation Administration; $65,000,000 was in direct appropriations; and $13,000,000 was from carryover balances.

TRANSPORTATION SECURITY ADMINISTRATION

The conference agreement recommends $5,180,000,000 for the Transportation Security Administration instead of $5,140,000,000 as proposed by the House and $5,346,000,000 as proposed by the Senate. Funds are provided in four separate appropriations, similar to the approach proposed by the House, instead of a single lump-sum appropriation proposed by the Senate. The agreement specifies that $144,000,000 of the total shall be derived by reimbursement from ''Federal Aviation Administration, Facilities and equipment'' instead of $176,691,200 proposed by the House and $55,000,000 proposed by the Senate. Funds are available until expended, as proposed by the House instead of one year as proposed by the Senate. The bill includes a provision, proposed by the Senate, allowing any excess fees collected during fiscal year 2003 to be treated as offsetting collections during fiscal year 2004.

Staffing cap.—The conferees agree to continue the limitation on total agency staffing, as proposed by the House. This prohibits funds to recruit or hire more than 45,000 full-time permanent staff. The same provision has been in effect since fiscal year 2002. The agency believed it was critical to temporarily surge staffing last year, in order to meet the passenger and baggage screening deadlines in the Aviation and Transportation Security Act. Now that these deadlines are past, the conferees believe TSA should focus on eliminating unnecessary positions, generally through attrition.

AVIATION SECURITY

The conference agreement includes $4,516,300,000 for aviation security. Funds shall be distributed as follows:

	Conference agreement
Passenger screening	$1,602,000,000
Passenger screeners	1,327,000,000
Credentialing and registered traveler programs	35,000,000
CAPPS II	35,000,000
Checkpoint equipment	30,000,000
Electronic surveillance	10,000,000
Checkpoint equipment maintenance	10,000,000
Third party screening contracts	30,000,000
Planning and deployment	35,000,000
Human resource services	60,000,000
Training	30,000,000
Baggage screening	1,415,900,000
Baggage screeners	900,000,000
Detection equipment maintenance	75,000,000
Checked baggage data system	1,400,000
EDS/ETD systems—procurement	174,500,000
EDS/ETD systems—airport modifications	265,000,000
Cargo screening improvements	20,000,000
Airport support and enforcement presence	1,478,400,000
Airport support	340,000,000
Law enforcement	175,000,000
Reimbursable agreements	250,000,000
Cockpit door reimbursement	100,000,000
Commercial pilot firearms training	8,000,000
K–9 units	10,000,000
Federal air marshals	545,000,000
FAA internal security and hazmat	50,400,000
Total	4,516,300,000

Third party screening contracts.—The conference agreement provides $30,000,000 for third party screening contracts. Program savings are available due to the existence of contract recoveries, which the agency estimates will be available up to $100,000,000 in fiscal year 2003. These two sources of funds will provide sufficient resources to meet estimated contract payments.

Recruiting, assessment, and human resource services contract.—The conferees encourage the Secretary of Transportation, in consultation with the Secretary of Homeland Security, to expeditiously review and, if compliant with Public Law 85–804 and other statutes, approve any application for liability protection for the services provided by the contractor awarded a contract by the Department of Transportation with an effective date of February 25, 2002 for recruiting, assessment and human resource services for federal employees of the Transportation Security Administration.

Credentialing and registered traveler programs.—The conference agreement includes $35,000,000 for the credentialing and aviation registered traveler programs. The conferees support the position of the House that TSA should include various transportation worker identification card (TWIC) technologies in the East Coast and West Coast credentialing pilot projects to result in a fair evaluation of all technology candidates, including card, reader, and database technologies. The conferees support TSA's current plan to evaluate the potential for a central card production, personalization, and issuance center. The conferees strongly encourage TSA to consider the benefits of consolidating regional centers into a centralized location, and the benefits of using existing government card issuance centers for this activity. The conferees agree it is essential to include multiple biometrics on these cards, to verify the identity of the individual carrying them. The conferees further agree that one card technology with great capacity for storing biometric information is the optical lasercard, such as that used by the Immigration and Naturalization Service for permanent resident cards and by the Department of State for border crossing cards. The conferees agree that TSA should not develop new technologies if existing ones, already developed by other federal agencies, are good enough. While approving funds for this program and deleting restrictive bill language proposed by the House, the conferees direct TSA not to obligate funds for the TWIC prototype phase until the House and Senate Committees on Appropriations are briefed on the results of the technical evaluation phase and agree that the program should move forward.

Letters of intent for installation of security systems.—The bill includes a provision authorizing TSA to sign letters of intent (LOIs) with airport authorities specifying long-term funding arrangements for the installation of explosive detection systems. This process is similar to the existing LOI process for airport capital improvement projects. While supportive of this concept, the conferees emphasize that the signing of such agreements do not obligate or commit the Federal Government to make future payments until approved by Congress in the annual budget process. In addition, the conferees want to ensure that the signing of LOIs do not upset the proper balance between funding for large, medium, and small airports. For this reason, the conferees direct TSA not to commit more than 50 percent of total available funding for modification of airports to LOIs. This will preserve funding for smaller airports. A similar restriction has been in place for many years for LOIs granted under FAA's Airport Improvement Program.

Use of state and local law enforcement officers.—The bill includes a provision allowing TSA to utilize the services of state and local officials as law enforcement officers at airports, including the authority to deputize such officials as federal law enforcement officers. The bill specifies that TSA shall reimburse state and local entities for all reasonable, allowable, and allocable costs for these services, and additional funding is provided in the bill to ensure appropriate payment. In addition, the bill provides that such officers may provide security services throughout the airport, and not solely at screening checkpoints, if such action is preferable for law enforcement purposes.

Fitness for duty requirements.—The conferees are concerned that the Under Secretary has yet to implement the fitness for duty requirements stipulated in the Aviation and Transportation Security Act. As such, the conferees concur in the initiative of the Senate in providing $250,000 to enable the Under Secretary to make expedited use of currently available fitness-for-duty technology to assess saccadic velocity to determine the potential impairment of airport security screeners at Seattle-Tacoma International Airport.

South Terminal Expansion Project, Seattle-Tacoma, WA.—The Supplemental Appropriations Act for fiscal year 2002 included $225,000,000 over and above the budget request for airport modifications to accommodate the installation of explosive detection systems. The statement of managers accompanying that bill instructed the Under Secretary to be attentive to the extraordinary needs of certain airports, such as the Seattle-Tacoma International Airport, that are facing extraordinary costs associated with redesigning airport terminal projects that are in mid-construction. While the conferees are pleased that the TSA and the relevant airport authorities have come to agreement on the total federal obligation associated with the reconfiguration of the South Terminal Expansion Project (STEP), the conferees remain concerned that an agreement has not yet been reached on the timetable under which these funds will be provided. This bill provides an additional $265,000,000 for airport modifications, bringing to just under $500,000,000 the amount of money that has been provided for airport modifications over and above the levels sought by the Administration. The conferees urge TSA to work cooperatively with the Seattle-Tacoma International Airport to address their unique needs for security-related airport modifications. The conferees believe that, when combined with unobligated prior year funds, the funding in this bill gives TSA sufficient resources to address the long-term security requirements of airports such as Seattle-Tacoma International.

MARITIME AND LAND SECURITY

The conference agreement includes $244,800,000 for maritime and land security. Funds shall be distributed as follows:

	Conference agreement
Port security grants	$150,000,000
Staff	21,000,000
Information technology projects	4,800,000
Nuclear detection and monitoring	4,000,000
Trucking industry grants	25,000,000
Trucking industry grants	(20,000,000)
Hazardous materials permit program	(3,500,000)
Trucking security pilot program	(1,500,000)
Intercity bus security	10,000,000
Operation safe commerce	30,000,000
Total	244,800,000

Trucking industry grants.—Funding provided for trucking industry grants are to be distributed as follows: $20,000,000 for activities in the budget amendment submitted in September 2002; $3,500,000 for a hazardous materials safety permit program; and $1,500,000 for a truck security pilot program.

Hazardous materials safety permit program.—The conferees include $3,500,000 to implement the permit program required by law for those motor carriers transporting the most dangerous hazardous materials. Given that this permit program is especially critical now in light of truck security concerns, TSA should ensure that it is implemented within one year from the date of enactment of this Act. The conferees would not oppose the conduct of this program by FMCSA on a reimbursable basis.

Truck security pilot program.—The conferees understand that technology exists from a number of manufacturers that allows trucks to be remotely tracked and controlled. So that TSA and FMCSA may completely understand the performance characteristics of such systems, the conference agreement includes $1,500,000 for a pilot program.

Nuclear detection and monitoring.—The agreement includes $4,000,000 to continue evaluation and procurement of portable nuclear radiation search tools. A similar appropriation was made in Public Law 107–206. The conferees direct TSA to provide a status report on this activity to the House and Senate Committees on Appropriations not later than March 15, 2003.

Operation Safe Commerce.—The conferees direct that the $30,000,000 provided in the bill for Operation Safe Commerce shall be distributed under the same terms and conditions governing the funding provided for this program for fiscal year 2002.

RESEARCH AND DEVELOPMENT

The conference agreement includes $110,200,000 for research and development. Funds shall be distributed as follows:

	Conference agreement
Laboratory space/research facility	$5,000,000
Next generation EDS	75,000,000
Applied R&D	15,000,000
Staffing	5,200,000
Port security R&D	10,000,000
Total	110,200,000

Security research.—The conferees do not agree with language proposed by the Senate specifying that research funds should be targeted toward detection of chemical, biological or similar threats. While the conferees agree that such research is a high priority for funding, the Under Secretary for Transportation Security has the flexibility to establish overall agency priorities in security research.

Port security research and development.—The conference agreement includes $10,000,000 for port security research and development activities at national laboratories, private non-profit organizations, institutions of higher education, and other entities. The conferees direct that, should any of these funds be allocatd to a Department of Energy laboratory, they shall be administered. This policy is consistent with section 309 of The Homeland Security Act of 2002.

ADMINISTRATION

The conference agreement includes $308,700,000 for administration. Funds shall be distributed as follows:

	Conference agreement
Headquarters staff (inc. ACS)	$106,000,000
Start-up and administrative support	10,000,000
Information technology core activities	179,251,000
Intelligence	13,449,000
Total	308,700,000

COAST GUARD

OPERATING EXPENSES

The conference agreement includes $4,322,122,000 for operating expenses of the Coast Guard, instead of $4,305,456,000 as proposed by the House and $4,318,456,000 as proposed by the Senate. Of the total amount provided, $340,000,000 is for defense-related activities, as proposed by the Senate, instead of $1,300,000,000 as proposed by the House.

The following table summarizes the House and Senate's proposed adjustments to the Coast Guard's budget request and the final conference agreement:

	House Bill	Senate Bill	Conference agreement
Budget estimate	$4,153,456,000	$4,153,456,000	$4,153,456,000
Adjustments to the budget estimate:.			
Homeland security liaison billets	−4,094,000		−4,094,000
Polar icebreaking reimbursement	−3,149,000		−2,500,000
FECA/UCX	−933,000		−933,000
Response boat-small	+10,000,000		+7,000,000
Small boat station/command center readiness	+10,000,000		+8,000,000
Maritime SAR/personnel safety:.			
FDRs/CVRs	−2,700,000		
SCBA	−1,115,000		
VTTS Corpus Christi	−3,600,000	−3,600,000	
High interest vessel control follow-on:.			
Personnel support costs	−3,776,000		−3,776,000
Maritime safety/security teams:.			
WLB/WLM staffing	−3,731,000		−3,731,000

	House Bill	Senate Bill	Conference agreement
New marine safety/security teams	−6,340,000		
Security readiness and planning.			
Attorneys/contract administrators	−2,162,000		−2,162,000
Incident command system:.			
Public affairs specialists	−1,400,000		−1,400,000
Marine Fire and Safety Association		+312,000	+312,000
AMSEA		+350,000	+350,000
Maritime EO/IR sensors		+5,000,000	+4,000,000
Oil spill prevention, 13th District		+1,600,000	+1,600,000
Datum marker buoys		+1,000,000	+1,000,000
Unspecified reduction		−4,662,000	
Denial of new user fee proposal	+165,000,000	+165,000,000	+165,000,000
Total recommended	4,305,456,000	4,318,456,000	4,322,122,000

Small boat station and command center readiness.— The bill includes language specifying that not less than $15,686,000 of additional funding shall be used to address readiness problems at the nation's small boat stations and associated command centers. This is the second year of a multiyear effort to restore the readiness level of these critical facilities. The conferees direct the Coast Guard to submit a five year operating and capital plan to address the readiness problems, including elements which appropriately allocate billets to cover on-board and planned staffing levels. The conferees request the U.S. General Accounting Office to review and certify that the additional funding provided in this bill is being used to supplement, and not supplant, the level of effort in fiscal year 2002.

Limitation on flag officers.—The bill includes the limitation, proposed by the Senate, prohibiting the hire of more than 37 active duty flag officers during fiscal year 2003.

Pier safety study.—As proposed by the House, the conferees direct the Coast Guard, in consultation with the Army Corps of Engineers, to conduct a study of pier safety, to be submitted within six months of enactment of this Act.

Oil spill prevention, 13th District.—The conference agreement includes $1,600,000 for additional oil spill prevention activities in the Coast Guard 13th District, as proposed by the Senate. The Coast Guard is expected to consult fully with the Captain of the Port, Puget Sound, in making determinations on the scope and use of these funds.

Great Lakes pilotage.—The conferees understand that the Coast Guard has before it a proposal to change the pilotage system on the Great Lakes. The conferees urge the Coast Guard to ensure that this proposal receives all due consideration, including public comment as appropriate and full review by the Great Lakes Pilotage Advisory Committee.

Polar icebreaking reimbursement.—The conferees agree to a reduction of $2,500,000 assuming higher reimbursements for polar icebreaking activities, instead of $3,149,000 as proposed by the House. The conferees agree that the entire reduction is to be taken from costs related to activities in the Antarctic region.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The conference agreement includes $742,100,000 for acquisition, construction, and improvements instead of $725,000,000 as proposed by the House and $752,000,000 as proposed by the Senate. The agreement includes certain restrictions on the Integrated Deepwater Systems program, as proposed by the House and Senate. Consistent with past years and the House and Senate bills, the conference agreement distributes funds by budget activity. Further, the bill includes a contingent rescission relating to submission of the Capital Investment Plan to the Congress, as proposed by the Senate.

A table showing the distribution of this appropriation by project, as included in the fiscal year 2003 budget estimate, House bill, Senate bill, and the conference agreement is as follows:

Program Name	Budget estimate	House bill	Senate bill	Conference agreement
Vessels	13,600,000	11,715,000	25,600,000	25,600,000
Survey and design—cutters and boats	400,000	400,000	400,000	400,000
Seagoing buoy tender (WLB) replacement	4,000,000	4,000,000	4,000,000	4,000,000
Polar class icebreaker reliability improvement program	2,200,000	2,200,000	2,200,000	2,200,000
41 foot utility boat replacement	4,000,000	4,000,000	4,000,000	4,000,000
Alex Haley conversion project	3,000,000	0	3,000,000	3,000,000
87-foot coastal patrol boat	0	0	12,000,000	12,000,000
Shipboard contained breathing apparatus (SCBA)	0	1,115,000	0	0
Aircraft	0	2,700,000	0	4,000,000
FDRs/CVRs	0	2,700,000	0	0
LTS–101 engine improvements	0	0	0	4,000,000
Other Equipment	117,700,000	114,200,000	132,700,000	121,300,000
Ports and waterways safety system (PAWSS)	5,000,000	8,600,000	5,000,000	4,000,000
National distress system modernization	90,000,000	90,000,000	90,000,000	90,000,000
Defense message system implementation	2,100,000	0	2,100,000	1,100,000
Global Maritime Distress and Safety System (GMDSS)	2,200,000	2,200,000	2,200,000	2,200,000
Thirteenth district microwave modernization project	3,000,000	3,000,000	3,000,000	3,000,000
Hawaii Rainbow communications system modernization	3,000,000	3,000,000	3,000,000	3,000,000
High frequency recapitalization and modernization	2,000,000	2,000,000	2,000,000	2,000,000
Prince William Sound WAN replacement, AK	1,000,000	1,000,000	1,000,000	1,000,000
Security surveillance and protection	0	0	15,000,000	10,000,000
Maritime domain awareness information management	9,400,000	4,400,000	9,400,000	5,000,000
Shore Facilities andj Aids to Navigation	28,700,000	31,385,000	48,700,000	50,200,000
Survey and design—shore projects	2,500,000	5,500,000	2,500,000	4,000,000
Minor AC&I shore construction projects	4,900,000	4,900,000	4,900,000	4,900,000
Housing	7,000,000	7,000,000	7,000,000	7,000,000
Waterways ATON projects	4,900,000	4,900,000	4,900,000	4,900,000
Consolidate Kodiak aviation support—Kodiak, AK	4,000,000	4,000,000	4,000,000	4,000,000
Rebuild ISC Seattle Pier 36—Phase 1	0	0	16,000,000	16,000,000
Vessel pier facility—Cordova, AK	0	0	4,000,000	4,000,000
Construct new station—Manistee, MI	5,400,000	5,085,000	5,400,000	5,400,000
Personnel and Related Support	65,000,000	65,000,000	65,000,000	63,000,000
Direct personnel costs	64,500,000	64,500,000	64,500,000	62,500,000
Retirement accrual costs [1]	0	0	0	0
Core acquisition costs	500,000	500,000	500,000	500,000
Integrated Deepwater Systems	500,000,000	500,000,000	480,000,000	478,000,000
Aircraft	138,200,000	138,200,000	135,200,000	164,300,000
Surface ships	215,700,000	215,700,000	212,700,000	200,200,000
C41SR	0	0	0	23,900,000
Logistics	71,600,000	16,600,000	66,600,000	19,900,000
Shore facilities	0	7,200,000	0	1,000,000
System engineering and integration	0	47,800,000	0	43,700,000
Other contracts	43,500,000	43,500,000	36,500,000	
Government program management	31,000,000	31,000,000	29,000,000	28,000,000
Total appropriation	725,000,000	725,000,000	752,000,000	742,100,000

[1] Excludes $10,846,000 in proposed retirement accural costs.

LTS–101 engine.—The conference agreement includes $4,000,000 to enhance the reliability of the HH–65 LTS–101 engine through the incorporation of FADEC system technology. The conferees continue to support continued evaluation of the Ariel engine by the Coast Guard, and do not intend that these funds undermine support or progress in that effort.

Integrated deepwater systems.—The conference agreement includes $478,000,000 for the integrated deepwater systems (IDS) program, to be distributed as follows:

Activity		Amount
Aircraft		$164,300,000
Maritime patrol aircraft	(147,300,000)	
VTOL unmanned air vehicle	(---)	
Other contracts/legacy sustainment	(17,000,000)	
Surface		200,200,000
National security cutter	(132,800,000)	
110–123 patrol boat upgrade	(60,800,000)	
Short range prosecutor	(2,800,000)	
Other contracts/legacy sustainment	(3,800,000)	
C4ISR		23,900,000
270 foot cutter C4ISR upgrade	(700,000)	
210 foot cutter C4ISR upgrade	(1,400,000)	
378 foot cutter C4ISR upgrade	(3,100,000)	
Shore sites	(5,400,000)	
Other contracts/legacy sustainment	(13,300,000)	
Logistics		17,900,000
Integrated logistics support	(16,900,000)	
Shore sites	(1,000,000)	
Systems Engineering and Integration		43,700,000
Government Program Management		28,000,000
Total		478,000,000

Maritime patrol aircraft.—Although the Coast Guard's budget request for the IDS program assumed the acquisition of 2 maritime patrol aircraft in fiscal year 2003, recently the service announced a restructure of its funding plan which defers that acquisition. The conferees are surprised that, after a detailed planning phase lasting several years, the service's operational requirements and asset replacement plans could be so radically changed this early in the IDS contract. The conferees are not yet convinced that this change is in the best interest of the Coast Guard, and provide funding for these assets in line with the original budget request. Before the Coast Guard effectuates a change of this nature, the service is required to seek Congressional approval through the reprogramming process.

IDS reprogramming procedures.—The conferees agree with reprogramming guidelines as proposed by the House except that programs, projects, and activities with a baseline of $5,000,000 or less may execute below threshold reprogrammings not to exceed 20 percent of the baseline amount. The baseline for all other PPAs shall be 10 percent. The distribution of funds table shown above shall serve as the reprogramming baseline for this program in fiscal year 2003.

IDS compliance with the Buy American Act.—The bill includes a provision, as proposed by the House, clarifying that the IDS procurement program is subject to the terms and conditions of the Buy American Act. The conferees do not seek to amend that Act to apply content standards to individual components of vessels. By letter to the House Committee on Appropriations dated October 1, 2002, the Assistant Commandant for Acquisition stated that this language is considered by the service to be ''a restatement of [the Coast Guard's] obligations under existing law and not as an imposition of any additional legal requirements''.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

The conference agreement includes a rescission of unobligated balances from ''Acquisition, construction, and improvements'' of $17,000,000. The Secretary is directed to advise the House and Senate Committees on Appropriations on the distribution of this rescission prior to its implementation.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

The conference agreement includes $17,000,000 for environmental compliance and restoration, as proposed by both the House and Senate.

ALTERATION OF BRIDGES

The conference agreement includes $17,200,000 for alteration of bridges deemed hazardous to marine navigation, instead of $17,000,000 proposed by the House and $14,000,000 proposed by the Senate. The conference agreement distributes these funds as follows:

Bridge and location	*Amount*
New Orleans, LA, Florida Ave RR/HW Bridge	$3,500,000
Brunswick, GA, Sidney Lanier HW Bridge	2,500,000
Mobile, AL, 14 Mile Bridge	6,000,000
Charleston, SC, Limehouse Bridge	1,200,000
Morris, IL, EJ&E RR Bridge	1,000,000
Galveston Causeway, Galveston, TX	1,000,000
Chelsea Street Bridge, Boston, MA	2,000,000
Total	17,200,000

RETIRED PAY

The conference agreement includes $889,000,000 for retired pay, as proposed by both the House and Senate.

RESERVE TRAINING

The conference agreement includes $86,495,000 for reserve training.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement includes $22,000,000 for research, development, test, and evaluation as proposed by the Senate instead of $21,000,000 as proposed by the House. The conferees agree that, within the funds provided, $1,000,000 is for continued development, demonstration, and evaluation of engineered wood composites at Coast Guard facilities, including stations in Jonesport and Southwest Harbor, Maine, as proposed by the House, instead of $3,000,000 as proposed by the Senate. Further, within the funds provided, $1,000,000 is for a pilot project to test automatic search and rescue spectral imaging technology for Coast Guard C–130 aircraft, instead of $2,500,000 proposed by the Senate. The conference agreement includes $250,000 for a prototype observation system in the Lower Chesapeake Bay in Virginia, and $250,000 for research at the Coast Guard Fire Safety Test Detachment in Alabama, as proposed by the Senate.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

The conference agreement includes $7,069,019,000 for operations of the Federal Aviation Administration, instead of $7,060,203,000 proposed by the House and $7,047,203,000 proposed by the Senate. Of the total amount provided, $3,799,278,000 (53.7 percent) is to be derived from the airport and airway trust fund, as proposed by the Senate. Funds are distributed in the bill by budget activity, as proposed by the Senate. The bill maintains a prohibition on funds for aeronautical charting and cartography activities conducted by, or coordinated through, the Working Capital Fund, as proposed by the House.

The following table compares the conference agreement to the levels proposed in the House and Senate bills by budget activity:

CONFERENCE AGREEMENT, FAA OPERATIONS, FY 2003

	House bill	Senate bill	Conference agreement
Air traffic services	$6,038,090,000	$6,038,090,000	$6,038,090,000
Accrual proposal	−340,553,000	−340,553,000	−340,553,000
Spring/summer 2003	−3,250,000		−1,750,000
Operational evolution plan	−11,116,000		−9,616,000
National airspace redesign	−5,357,000		−3,525,000
National park air tour management plans	−4,100,000		−4,100,000
Contract tower cost-sharing	6,000,000	6,000,000	6,000,000
MARC	2,000,000		2,000,000
Training	−10,405,000		−2,000,000
NAS handoff	70,000,000		30,000,000
Medallion program		1,500,000	1,500,000
Unspecified reduction		−43,000,000	
Amount recommended	5,741,309,000	5,662,037,000	5,716,046,000
Regulation and certification	867,174,000	867,174,000	867,174,000
Accrual proposal	−33,207,000	−33,207,000	−33,207,000
Safer skies	−6,887,000		−3,400,000
International harmonization staff	−250,000		−250,000
Drug/alcohol compliance testing	−810,000		−810,000

CONFERENCE AGREEMENT, FAA OPERATIONS, FY 2003—Continued

	House bill	Senate bill	Conference agreement
Non-precision GPS approaches		1,500,000	1,500,000
Inspector technical training		4,000,000	2,000,000
Alien species action plan		3,000,000	3,000,000
Amount recommended	826,020,000	839,467,000	836,007,000
Civil aviation security	6,064,000	6,064,000	6,064,000
Accrual proposal—former FAA employees	−6,064,000	−6,064,000	−6,064,000
Aviation Security Advisory Committee	−60,000		
Amount recommended	−60,000	0	0
Research and acquisitions	211,156,000	211,156,000	211,156,000
Accrual proposal	−3,556,000	−3,556,000	−3,556,000
Contract management efficiencies	0	0	−2,000,000
Amount recommended	207,600,000	207,600,000	207,600,000
Commercial space transportation	12,569,000	12,569,000	12,569,000
Accrual proposal	−244,000	−244,000	−244,000
Amount recommended	12,325,000	12,325,000	12,325,000
Regions and center operations	93,777,000	93,777,000	93,777,000
Accrual proposal	−11,585,000	−11,585,000	−11,585,000
Restore proposed cut to base programs	1,200,000		1,200,000
Amount recommended	83,392,000	82,192,000	83,392,000
Human resource management	84,073,000	84,073,000	84,073,000
Accrual proposal	−3,813,000	−3,813,000	−3,813,000
FECA administrative surcharge	−4,353,000		−4,353,000
HRIS deferral	−4,600,000		4,600,000
Strategic alliances	−5,499,000		−2,000,000
Amount recommended	65,808,000	80,260,000	69,307,000
Office of financial services	49,992,000	49,992,000	49,992,000
Accrual proposal	−1,210,000	−1,210,000	−1,210,000
Contracts management	−2,000,000		
Amount recommended	46,782,000	48,782,000	48,782,000
Staff offices	89,425,000	89,425,000	89,425,000
Accrual proposal	−4,535,000	−4,535,000	−4,535,000
Position review—assumed savings	−400,000		−400,000
Unspecified reduction	−900,000		
Freeze open positions in policy/planning office	−1,750,000		−1,750,000
Reduce office of system safety staffing	−500,000		−266,000
International aviation offices overseas	500,000		500,000
Amount recommended	81,840,000	84,890,000	82,974,000
Office of information services	29,650,000	29,650,000	29,650,000
Accountwide adjustments:			
Staffing adjustment	−10,000,000		−5,000,000
Contract maintenance	−21,258,000		−10,000,000
Travel	−1,064,000		−1,064,000
FAA/DOT Library TASC charges	−2,141,000		−1,000,000
Amount recommended	−34,463,000	0	−17,064,000
Total appropriation recommended	7,060,203,000	7,047,203,000	7,069,019,000

Administration of potential shortfall due to essential air service transfer.—The conferees agree that the FAA Administrator has the flexibility to propose the use of funds in either the ''Operations'' or ''Facilities and equipment'' appropriations to address any shortfalls in essential air service funding for which FAA resources are required under existing law. The Administrator is directed to advise the House and Senate Committees on Appropriations on the appropriations and programs from which these funds would be drawn.

Air traffic staffing budget.—The conferees agree that the report proposed by the House on allocation of the air traffic staffing shortfall is to be submitted to the House and Senate Committees on Appropriations no later than 30 days after enactment of this Act.

National Park air tour management plans.—In reducing this program by $4,100,000, the conferees do not intend to slow down the review and approval of air tour management plans. The reduction reflects a substantial delay in this program due to schedule slippage in issuance of the final rule.

Drug/alcohol compliance testing.—In agreeing to the House's proposed reduction to this activity, the conferees do not intend to diminish the agency's level of effort in employee drug and alcohol testing. However, the agency has not yet demonstrated a link between identified problems in administration of this program and the need for additional resources. The conferees believe the identified problems can largely be addressed without additional resources at this time.

Contract tower program.—The conference agreement includes $78,000,000 to fund the baseline contract tower program and $6,000,000 for the contract tower cost-sharing program. Consistent with current law and existing lease arrangements, the conferees direct FAA to continue reimbursing airports for space the agency utilizes at all contract tower locations previously staffed by the agency, including existing, newly constructed, and future replacement towers. The conferees commend those airports that are moving forward with replacing outdated towers. The conferees do not believe smaller airports should be compelled to provide FAA free space in replacement contract towers.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes $2,981,022,000 for ''Facilities and equipment'', as proposed by both the House and Senate. Of the total amount available, $404,655,240 is available for one year, and $2,576,366,760 is available for three years. The bill deletes a provision proposed by the Senate that would have provided a contingent rescission relating to submission of the FY 2004 Capital Investment Plan. This provision is no longer necessary, as the report has been submitted to the Congress.

The following table provides a breakdown of the House and Senate bills and the conference agreement by program:

Facilities and Equipment Fiscal Year 2003

Note: all figures in thousands ($000)	Budget estimate	House bill	Senate bill	Conference
Category 1: Improve Aviation Safety	403,340.00	484,214.20	363,640.00	468,623.00
Terminal Business Unit	141,000.00	151,183.00	161,300.00	151,183.00
Aviation Weather Services Improvements	23,440.00	23,440.00	23,440.00	23,440.00
Low Level Windshear Alert System (LLWAS)—Upgrade	1,600.00	1,600.00	1,600.00	1,600.00

Facilities and Equipment Fiscal Year 2003—Continued

Note: all figures in thousands ($000)	Budget estimate	House bill	Senate bill	Conference
Aviation Safety Analysis System (ASAS)	21,700.00	15,000.00	21,700.00	15,000.00
Integrated Flight Quality Assurance (IFQA)	500.00	500.00	500.00	500.00
Safety Performance Analysis Subsystem (SPAS)	2,100.00	2,100.00	2,100.00	2,100.00
Performance Enhancement Systems (PENS)	2,600.00	2,600.00	2,600.00	2,600.00
Safe Flight 21	29,800.00	40,000.00	32,800.00	40,000.00
Advanced Technology Development and Prototyping	41,100.00	43,100.00	41,600.00	57,200.00
Aircraft Related Equipment Program	16,000.00	16,000.00	16,000.00	16,000.00
National Aviation Safety Data Analysis Center (NASDAC)	2,000.00	2,000.00	2,000.00	2,000.00
Louisville, KY technology demonstration	0.00	10,000.00	0.00	10,000.00
Explosive Detection Technology	121,500.00	176,691.20	55,000.00	144,000.00
Volcano Monitoring	.....	.....	3,000.00	3,000.00
Category 2: Improve Effciency of the Air Traffic Control System	914,185.50	879,885.30	895,951.50	816,780.30
Terminal Business Unit	551,035.50	516,280.30	534,601.50	490,030.30
Aeronautical Data Link (ADL) Applications	33,200.00	33,200.00	29,700.00	29,700.00
Free Flight Phase 2	106,200.00	106,200.00	96,200.00	70,000.00
Air Traffic Management (ATM)	13,000.00	13,000.00	13,000.00	13,000.00
Free Flight Phase 1	39,900.00	36,600.00	39,900.00	36,600.00
Automated Surface Observing System (ASOS)	12,100.00	12,755.00	12,100.00	12,100.00
Next Generation Very High Frequency Air/Ground Communications System (NEXCOM)	71,100.00	71,100.00	71,100.00	66,100.00
En Route Automation Program	71,050.00	71,050.00	75,250.00	71,050.00
Weather and Radar Processor (WARP)	13,600.00	13,600.00	13,600.00	13,600.00
Long Range Radar Sustainment	.....	.....	7,500.00	7,500.00
ATOMS Local Area/Wide Area Network	1,100.00	1,100.00	1,100.00	1,100.00
NAS Management Automation Program (NASMAP)	1,900.00	0.00	1,900.00	1,000.00
New York Integrated Control Complex	0.00	5,000.00	0.00	5,000.00
Category 3: Increase Capacity of the NAS	353,500.00	394,875.00	400,384.00	432,975.00
Navigation and Landing Aids	249,800.00	291,175.00	295,735.00	329,275.00
Oceanic Automation System	87,400.00	87,400.00	76,349.00	87,400.00
Gulf of Mexico Offshore Program	2,300.00	2,300.00	2,300.00	2,300.00
Voice Switching and Control System (VSCS)	14,000.00	14,000.00	14,000.00	14,000.00
Transponder Landing System	.....	.....	12,000.00	0.00
Category 4: Improve Reliability of the NAS	443,410.00	434,010.00	461,710.00	434,310.00
Guam Center Radar Approach Control (CERAP)—Relocate	5,000.00	5,000.00	5,000.00	5,000.00
Terminal Voice Switch Replacement/Enhanced TVS	6,200.00	6,200.00	17,200.00	14,200.00
Airport Cable Loop Systems—Sustained Support	4,000.00	4,000.00	5,500.00	5,500.00
En Route Automation Program	142,800.00	142,800.00	147,500.00	150,000.00
ARTCC Building Improvements/Plant Improvements	40,200.00	40,200.00	40,200.00	35,000.00
Air Traffic Management (ATM)	24,500.00	24,500.00	24,500.00	24,500.00
Critical Telecommunication Support	1,000.00	1,000.00	1,000.00	1,000.00
FAA Telecommunications Infrastructure	46,600.00	46,600.00	46,600.00	42,000.00
Air/Ground Communications Infrastructure	22,800.00	22,800.00	22,800.00	22,800.00
Voice Recorder Replacement Program (VRRP)	3,300.00	7,000.00	3,300.00	5,000.00
NAS Infrastructure Management System (NIMS)	29,100.00	16,000.00	29,100.00	16,000.00
Flight Service Station (FSS) Modernization	5,700.00	5,700.00	5,700.00	5,700.00
FSAS Operational and Supportability Implementation System (OASIS)	19,710.00	19,710.00	19,710.00	19,710.00
Weather Message Switching Center Replacement (WMSCR)	2,000.00	2,000.00	2,000.00	2,000.00
Flight Service Station Switch Modernization	13,200.00	13,200.00	13,200.00	13,200.00
Alaskan NAS Interfacility Communications System (ANICS)	2,900.00	2,900.00	4,000.00	4,000.00
Electrical Power Systems—Sustain/Support	50,700.00	50,700.00	50,700.00	45,000.00
NAS Recovery Communications (RCOM)	9,400.00	9,400.00	9,400.00	9,400.00
Aeronautical Center Infrastructure Modernization	11,700.00	11,700.00	11,700.00	11,700.00
Frequency and Spectrum Engineering	2,600.00	2,600.00	2,600.00	2,600.00
Category 5: Improve the Efficiency of Mission Support	444,019.50	436,919.55	436,769.51	413,678.51
NAS Improvement of System Support Laboratory	2,700.00	2,700.00	2,700.00	2,700.00
Technical Center Facilities	12,000.00	12,000.00	12,000.00	12,000.00
Technical Center Building and Plant Support	3,000.00	3,000.00	3,000.00	3,000.00
En Route Communications and Control Facilities Improvements	1,057.95	1,058.00	1,307.95	1,307.95
DOD/FAA Facilities Transfer	1,200.00	1,200.00	3,200.00	3,200.00
Terminal Communications—Improve	1,249.30	1,249.30	1,249.30	1,249.30
Flight Service Facilities Improvement	1,223.24	1,223.24	1,223.24	1,223.24
Navigation and Landing Aids—Improve	5,034.02	5,034.02	5,034.02	5,034.02
FAA Buildings and Equipment	11,000.00	11,000.00	11,000.00	11,000.00
Air Navigational Aids and ATC Facilities (Local Projects)	2,100.00	2,100.00	2,100.00	2,100.00
Computer Aided Engineering and Graphics (CAEG) Modernization	2,800.00	2,800.00	2,800.00	2,800.00
Information Technology Integration	1,600.00	1,600.00	1,600.00	1,600.00
Operational Data Management System (ODMS)	10,300.00	3,000.00	10,300.00	3,000.00
Logistics Support Systems and Facilities (LSSF)	9,300.00	5,000.00	5,000.00	5,000.00
Test Equipment—Maintenance Support for Replacement	1,700.00	1,700.00	1,700.00	1,700.00
Facility Security Risk Management	37,300.00	25,000.00	37,300.00	25,000.00
Information Security	13,291.00	13,291.00	13,291.00	8,000.00
Distance Learning	1,300.00	1,300.00	1,300.00	1,300.00
National Airspace System (NAS) Training Facilities	2,300.00	2,300.00	2,300.00	2,300.00
System Engineering and Development Support	25,800.00	25,800.00	25,800.00	23,800.00
Program Support Leases	38,400.00	38,400.00	38,400.00	36,400.00
Logistics Support Services (LLS)	7,500.00	7,500.00	7,500.00	7,500.00
Mike Monroney Aeronautical Center—Leases	14,600.00	14,600.00	14,600.00	14,600.00
In-Plant NAS Contract Support Services	2,900.00	2,900.00	2,900.00	2,900.00
Transition Engineering Support	39,000.00	37,000.00	37,000.00	35,000.00
FAA Corporate Systems Architecture	1,000.00	1,000.00	1,000.00	1,000.00
Technical Support Services Contract (TSSC)	46,700.00	46,700.00	44,700.00	41,700.00
Resource Tracking Program (RTP)	3,700.00	3,700.00	2,500.00	2,500.00
Center for Advanced Aviation System Development	81,364.00	81,364.00	81,364.00	81,364.00
Operational Evolution Plan	1,000.00	1,000.00	1,000.00	1,000.00
NAS Facilites OSHA and Environmental Standards Compliance	32,600.00	28,400.00	32,600.00	28,400.00
Fuel Storage Tank Replacement and Monitoring	8,500.00	8,500.00	8,500.00	8,500.00
Hazardous Materials Management	20,500.00	20,500.00	20,500.00	20,500.00
Research Aircraft Replacement	0.00	25,000.00	0.00	15,000.00
Unspecified	0.00	-2,000.00	0.00	0.00
Category 6: PCB&T Only	441,118.00	421,118.00	422,567.00	404,655.24
Personnel and Related Expenses	441,118.00	421,118.00	422,567.00	404,655.24
Category 7: Accountwide Adjustments	0.00	-70,000.00	.....	10,000.00
NAS Handoff—Transfer to Operating Expenses	0.00	-70,000.00	.....	10,000.00
Totals	2,999,573.00	2,981,022.05	2,981,022.01	2,981,022.05

Terminal business unit.—The conference agreement provides $641,213,304 for activities of the terminal business unit. The following table compares the conference agreement to the budget estimate and the House and Senate proposals:

	Budget estimate	House bill	Senate bill	Conference agreement
Budget line 1A01:				
NEXRAD upgrade	$9,100,000	$9,100,000	$9,100,000	$9,100,000
Terminal doppler weather radar	7,700,000	5,700,000	7,700,000	5,700,000
ASDE	10,000,000	10,000,000	10,000,000	10,000,000
AMASS	21,700,000	14,583,000	21,700,000	14,583,000
Weather systems processor	2,200,000	2,200,000	2,200,000	2,200,000
ASDE–X	90,300,000	109,600,000	104,600,000	109,600,000

	Budget estimate	House bill	Senate bill	Conference agreement
Safety and security activities			6,000,000	
Total	141,000,000	151,183,000	161,300,000	151,183,000
Budget line 2A01:				
Terminal automation program (STARS)	166,000,000	151,200,000	158,700,000	155,000,000
ATCBI–6	47,100,000	35,000,000	35,000,000	28,000,000
ATC en route radar facilities improvements	3,000,000	3,000,000	3,000,000	3,000,000
Terminal ATC facilties replacement	108,600,000	124,100,000	103,566,000	119,550,000
ATC/TRACON facilities improvement	52,755,192	44,000,000	44,000,000	44,000,000
Potomac TRACON	2,700,000	2,700,000	2,700,000	2,700,000
Northern California TRACON	200,000	200,000	200,000	200,000
Dallas/Fort Worth TRACON	1,600,000	1,600,000	1,600,000	1,600,000
Terminal digital radar (ASR–11)	123,400,000	80,000,000	90,000,000	80,000,000
ASR–9 SLEP	23,000,000	23,000,000	15,500,000	20,000,000
Mode S provide	3,000,000	3,000,000	3,000,000	3,000,000
Terminal applied engineering	8,200,000	4,000,000	4,000,000	4,000,000
Precision runway monitors	1,000,000	19,000,000	18,000,000	18,500,000
Houston area air traffic system	6,000,000	6,000,000	6,000,000	6,000,000
Terminal ASR improvements	1,380,304	1,380,304	1,380,304	1,380,304
PCS moves	3,100,000	3,100,000	3,100,000	3,100,000
Transponder landing system (TLS)	0	15,000,000		
Unspecified			44,855,192	
Total	551,035,496	516,280,304	534,601,496	490,030,304

Terminal air traffic control facilities replacement.—The conference agreement provides $119,550,000 for this program. Funds shall be distributed as follows:

Conference agreement	
Las Vegas McCarran International, NV	$3,500,000
Provo Municipal, UT	800,000
St. Louis Downtown, MO	2,500,000
North Bend Municipal, OR	1,000,000
Reno/Tahoe International, NV	4,500,000
Chippewa Valley Regional, WI	6,000,000
Wittman Regional, WI	4,000,000
Double Eagle II, NM	1,900,000
Kalamazoo/Battle Creek, MI	1,500,000
Columbia Metropolitan, SC	1,500,000
Missoula, MT	1,500,000
Columbus, MS	1,250,000
Pago Pago, American Samoa	175,000
Baltimore, MD	2,088,581
Dulles International, VA	600,000
Deer Valley, AZ	803,196
Memphis, TN	1,147,000
Portland, OR (Tracon)	5,500,000
Addison Field, TX	5,700,000
Reno, NV	8,349,000
Fort Wayne, IN	3,539,000
Newport News, VA	6,400,000
LaGuardia, NY	9,460,000
St. Louis, MO (Tracon)	1,500,000
Corpus Christi, TX	700,000
Beaumont, TX	1,000,000
Seattle, WA	550,000
Seattle, WA (Tracon)	4,782,701
Salina, KS	500,000
Newark, NJ	3,000,000
Port Columbus, OH	2,100,000
Grand Canyon, AZ	255,898
Savannah, GA	919,190
Newburgh, NY	2,065,000
Richmond, VA	550,000
Vero Beach, FL	878,775
Everett, WA	925,000
Roanoke, VA	550,000
Merrimack, NH (BCT)	4,700,000
Phoenix, AZ	14,107,919
Manchester, NH	943,609
Wilkes Barre, PA	2,000,000
Topeka, KS	1,690,131
Billings, MT	2,120,000
Total	119,550,000

Precision runway monitors.—The conferees understand the City of Cleveland is seeking reimbursement of approximately $500,000 for costs related to installation of a precision runway monitor in this location. The conferees encourage FAA to place a high priority on the city's request in its allocation of funding provided in this bill.

Transponder landing system.—The conference agreement for this program shall be distributed as follows:

Location	*Conference agreement*
Minden-Tahoe Airport, NV	$2,000,000
Elko Airport, NV	2,000,000
Omak Airport, WA	2,000,000
Richland Airport, WA	2,000,000
Truckee Tahoe Airport, CA	2,000,000
Driggs Reed Memorial, ID	2,000,000
Sandpoint Airport, ID	2,000,000
LaGrande/Union County, OR	2,000,000
William H. Morse Airport, VT	2,000,000
Total	18,000,000

Safe flight 21.—The conference agreement includes $18,600,000 for the Ohio River Valley Project, $19,900,000 for Project Capstone, and $1,500,000 for the development of ADS-B standards, as proposed by the House.

Advanced technology development and prototyping.—The conference agreement includes $57,200,000 for advanced technology development and prototyping. The following table compares the conference agreement to the House and Senate bills by budget activity:

	House bill	Senate bill	Conference agreement
Runway incursion	$6,700,000	$6,700,000	$6,700,000
Aviation system capacity improvement	4,000,000	6,300,000	5,150,000
Separation standards	2,200,000	2,200,000	2,200,000
Airspace management laboratory	4,600,000	4,600,000	4,600,000
GA/vertical flight technology	1,000,000	1,000,000	1,000,000
Operational concept validation		2,500,000	1,250,000
Software engineering	1,000,000	1,000,000	1,000,000
NAS requirements development		3,000,000	
WAAS	3,100,000	3,100,000	3,100,000
LAAS	2,800,000	2,800,000	2,800,000
Domestic RVSM	4,200,000	2,200,000	4,200,000
Development system assurance		2,700,000	2,700,000
Safer skies		3,000,000	2,000,000
Alkali-silica reactivity study	1,000,000		1,000,000
ROWS—Gulfport-Biloxi Airport, MS		500,000	500,000
Airfield improvement program		2,000,000	2,000,000
Wind/weather research, Juneau, AK		5,500,000	5,500,000
Phased array radar technology	3,000,000		2,000,000
Airport research	7,500,000		7,500,000
Fogeye	2,000,000		2,000,000
Unspecified		–7,500,000	
Total	43,100,000	41,600,000	57,200,000

En route automation.—The conferees agree that, within the funds provided for this program, $15,000,000 is for the Initial Academy Training System. The Senate proposed $16,900,000 for this project.

Automated surface observing system.—The conferees agree that, within the funds provided for this program, $400,000 is for an automated weather sensor system at Driggs-Reed Memorial Airport, ID and $130,000 is for an automated weather observing system with thunderstorm protection at Springfield Municipal Airport, OH.

Navigation and landing aids.—The conferees provide $329,275,000 for navigation and landing aids.

The conference agreement includes $1,500,000 for navigation aids and equipment at Nikolski Airport in Alaska. The conferees encourage FAA to assist the local community and airort officials in determining the appropriate equipment to be installed. The following table compares the conference agreement to the House and Senate bills by budget activity:

	House bill	Senate bill	Conference agreement
Local area augmentation system	$55,800,000		$50,000,000
Wide area augmentation system	98,900,000	98,900,000	98,900,000
VOR/DME	2,200,000		2,200,000
ALSIP	17,575,000	29,755,000	33,375,000
ILS establishment	53,500,000	36,180,000	57,600,000
Runway visual range	13,000,000		13,000,000
DME sustain	2,100,000		2,100,000
NDB sustain	1,200,000		1,200,000
Visual navaids (PAPI/REIL)	8,900,000		8,900,000
VASI replace with PAPI	6,300,000		6,300,000
IAPA	3,700,000		3,700,000
Navigation & landing aids—SLEP	3,000,000		3,000,000
Loran-C	25,000,000	21,000,000	25,000,000
Nationwide differential GPS		6,000,000	6,000,000
Transponder landing system (TLS)		12,000,000	18,000,000
Unspecified		103,900,000	
Total	291,175,000	307,735,000	329,275,000

Approach lighting system improvement program.—The conference agreement for this program shall be distributed as follows:

Location	Item	Conference agreement
Items in budget estimate	Various	$3,200,000
Jackson Airport, KY	Lighting	175,000
Somerset Airport, KY	Runway lighting	500,000
Bowman Field, KY	Airfield lighting	500,000
MALSR acquisition	MALSR acquisition	5,000,000
MALSR installation (backlog)	MALSR installation	5,000,000
PAPI acquisition	PAPI acquisition	2,000,000
ALSF–2 acquisition	ALSF–2 acquisition	2,000,000
Newark Intl, NJ	PAPI installation runway 22L	100,000
Auburn-Opelika, AL	MALSR	1,500,000
Reno-Stead, NV	MALSR	2,000,000
Baton Rouge, LA	MALSR	600,000
Cleveland Hopkins Intl, OH	MALSR runway 24L	400,000
North Little Rock, AR	MALSR	400,000
Alaska statewide rural airports, AK		10,000,000
Total		33,375,000

Acquisition of precision approach path indicator lighting systems.—The conferees emphasize that funding provided under the Approach Lighting System Improvement Program for nationwide acquisition of precision approach path indicator (PAPI) lighting systems shall be used specifically for the purchase of additional PAPI systems, to keep the production line operational for future procurements.

Medium approach lighting system replacement.—The conferees agree with Senate language recommending that FAA continue to procure the latest equipment that has been approved for use in the national airspace system.

Alaska statewide rural airport lighting.—The conferees designate this as an item of special Congressional interest. The $10,000,000 in this line may not be reprogrammed without prior Congressional approval.

En route communicatins and control facilities improvements.—The conferees agree that, within the funds provided for this program, $250,000 shall be for a remote communications outlet at the Keokuk, IA Airport.

Instrument landing system establishment.—The conference agreement for this program shall be distributed as follows:

Location	Item	Conference agreement
Items in budget estimate	Various	$23,500,000
National ILS replacement program.	Various	6,650,000
Richard Arthur-Fayette Field, AR.	Install ILS	500,000
Stuttgart Municipal, AR	Purchase and install ILS	2,000,000
Plymouth Municipal, MA	Install ILS on runway 06	600,000
Lambert St. Louis Intl, MO	Navigation aids	3,000,000
Cincinnati/N. Kentucky	Navigation aids for new runway.	3,000,000
Pangborn Memorial, WA	Install ILS	2,000,000
Winder Barrow Airport, GA	Purchase and install ILS	3,000,000
LaGuardia International, NY.	Purchase/install glideslope.	800,000
Talladega Municipal, AL	Purchase/install ILS	1,500,000
Mena Intermountain Regional, AR.	Install,Localizer/Gldslp; NDB; OM.	750,000
Napa County Airport, CA	Install glideslope	800,000
Hawyard (Sawyer Cty), WI	Purchase/install ILS	2,000,000
Robert Gray AAF, TX	Purchase/install ILS	1,400,000
Olive Branch Airport, MS		500,000
Reno/Tahoe International, NV.		1,200,000
Wasilla Airport, AK		800,000
Central Illinois Regional, IL.	Upgrade ILS to cat II, runway 20.	3,000,000
Somerset Airport, KY	DME and glideslope	600,000
Total recommended		57,600,000

Runway visual range.—Of funds provided above the budget estimate for runway visual range, $5,000,000 is for the new generation RVR system and $800,000 is for installation of a runway visual range visibility instrument at Westchester County Airport in New York, as proposed by the House.

Gallatin Field Airport, MT—The conferees are concerned about potential safety risks associated with the lack of radar coverage at Gallatin Field Airport in Bozeman, Montana, an airport whose enplanements and operations are growing. The conferees encourage the Administrator to expand the current multilateration surveillance evaluation to include airspace traffic activity at Gallatin Field and the surrounding areas. The conferees further encourage the Administrator to enter into a cost-sharing agreement with Gallatin Field to provide this evaluation.

Static transfer switches.— The conferees commend FAA for awarding a contract to procure static transfer switches for en route facilities. The static transfer switch enables air traffic control centers to switch to back-up power systems quickly enough to prevent computers from ''crashing'', and replaces equipment that lacks this important capability. The conferees direct the FAA to utilize expeditiously the funding provided for these switches.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

The conference agreement includes a rescission of unobligated balances from ''Facilities and equipment'' of $20,000,000. The Secretary is directed to advise the House and Senate Committees on Appropriations on the distribution of this rescission prior to its implementation.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement provides $148,450,000 for research, engineering, and development instead of $138,000,000 as proposed by the House and $124,000,000 as proposed by the Senate. The following table compares the conference agreement to the budget estimate and the House and Senate bills by budget activity:

Program	Budget Estimate	House Bill	Senate Bill	Conference agreement
Improve Aviation Safety:				
Reduce commercial aviation fatalities:				
Fire research and safety	$6,429,000	$5,500,000	$6,429,000	$6,429,000
Propulsion and fuel systems	3,998,000	5,998,000	4,998,000	5,998,000
Advanced materials/structural Safety	1,374,000	1,374,000	1,374,000	1,374,000
Flight safety/atmospheric hazards	3,101,000	6,000,000	4,101,000	5,000,000
Aging aircraft	20,974,000	19,131,000	20,974,000	20,974,000
Aircraft catastrophic failure Prevention	1,920,000	1,920,000	1,920,000	1,920,000
Flightdeck safety/systems Integration	8,411,000	8,411,000	8,411,000	8,411,000
Reduce general aviation fatalities:				
Propulsion and fuel systems	1,713,000	1,713,000	1,713,000	1,713,000
Advanced materials/structural Safety	1,679,000	1,679,000	1,679,000	1,679,000
Flight safety/atmospheric hazards	1,329,000	1,329,000	1,329,000	1,329,000
Aging aircraft	5,243,000	10,243,000	5,243,000	9,243,000

Program	Budget Estimate	House Bill	Senate Bill	Conference agreement
Flightdeck safety/systems Integration	2,000,000	2,000,000	2,000,000	2,000,000
Aviation System Safety:				
Aviation safety risk analysis	6,926,000	5,784,000	6,926,000	6,926,000
ATC/AF human factors	10,317,000	8,098,000	10,317,000	8,035,000
Aeromedical research	6,603,000	6,603,000	6,603,000	6,603,000
Weather research	19,406,000	19,406,000	19,406,000	21,906,000
Improve Efficiency of the ATC System:				
Weather research efficiency	9,099,000	6,000,000	12,099,000	12,099,000
Reduce Environmental Impacts:				
Environment and energy	7,698,000	22,100,000	2,698,000	22,100,000
Improve Mission Efficiency:				
System planning and resource Management	1,459,000	1,000,000	1,459,000	1,000,000
Technical laboratory facilities	6,455,000	6,455,000	6,455,000	6,455,000
Strategic partnerships	610,000	0	610,000	0
Accountwide Adjustments:				
CSRS/FEHBP accruals	-2,744,000	-2,744,000	-2,744,000	-2,744,000
Total	$124,000,000	$138,000,000	$124,000,000	$148,450,000

Propulsion and fuel systems.—Of the funds provided for propulsion and fuel systems, $1,000,000 is for the Specialty Metals Processing Consortium and $1,000,000 is for research into aviation grade ethanol fuels.

Aging aircraft.—Of the funds provided for aging aircraft, $4,000,000 is for flight safety research equipment at the National Institute for Aviation Research, instead of $5,000,000 as proposed by the House.

Weather research safety.—Of the funds provided for weather research safety, $4,000,000 is to continue research into wake turbulence using pulsed laser Doppler radar technology, instead of $5,000,000 as proposed by the Senate.

Weather research efficiency.—Of the funds provided for weather research efficiency, $4,000,000 is for wake turbulence research to expedite the development of new standards and procedures, instead of $5,000,000 as proposed by the Senate.

Environment and energy.—Of the funds provided for environment and energy, $850,000 is for a study of the effectiveness of current research in aircraft noise reduction technology, to be conducted by the Louisville Regional Airport Authority, as proposed by the House. In addition, $15,000,000 is provided to speed up the introduction of lower noise aircraft technologies, as proposed by the House. Within the funding provided, FAA is directed to conduct, in concert with an affected airport, a further study of low frequency aircraft noise. The flaws identified with the previous low frequency noise impact study should be corrected with this follow-on study.

Resistance-based polymer sensing—The conferees support the FAA's efforts to promote safety in all aspects of air transportation, and especially in such areas as leak detection, cargo monitoring, and discriminatory fire warning systems. The conferees are aware of ultra-lightweight, low-cost, low-power, accurate, and network-able sensing technology enabled by resistance-based polymer composites. The conferees encourage the FAA to review the potential of these new technologies for a variety of safety-related applications.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

The conference agreement includes a liquidating cash appropriation of $3,100,000,000, as proposed by the House and the Senate.

Obligation limitation.—The conferees agree to an obligation limitation of $3,400,000,000 for the ''Grants-in-aid for airports'' program as proposed by the House and Senate. This is the amount mandated by Public Law 106–181.

Administration.—The conference agreement includes a limitation on administrative expenses of $63,620,000 instead of $62,820,000 as proposed by the House and $81,049,000 as proposed by the Senate. The conferees agree that airport-related research shall continue to be funded under ''Facilities and equipment, advanced technology development and prototyping''. The conference agreement distributes funding as follows:

Activity	*Amount*
FY02 base amount	$57,050,000
Mandatory adjustments	2,647,000
Discretionary adjustments:	
Advisory circular contract	1,350,000
Airport financial report. syst.	500,000
PFC program analysis	300,000
Environmental streamlining	1,773,000
Total	63,620,000

Small community air service development pilot program.—The bill includes $20,000,000 under the obligation limitation to continue the small community air service development pilot program, as proposed by the Senate. The House proposed a similar amount for this program in a separate appropriation. This is consistent with actions taken in fiscal year 2002.

Westchester County Airport improvements, NY.—In the Transportation and Related Agencies Appropriations Act, 2002, $5,000,000 was provided for the central deicing facility at Westchester County Airport in New York. The conferees agree that this funding shall be reprioritized for all eligible aviation projects at Westchester County Airport.

High priority projects.— Of the funds covered by the obligation limitation in this bill, the conferees direct FAA to provide not less than the following funding levels, out of available resources, for the following projects in the corresponding amounts. The conferees agree that state apportionment funds may be construed as discretionary funds for the purposes of implementing this provision, consistent with the practice begun in fiscal year 2001. To the maximum extent possible, the administrator is directed to ensure that the airport sponsors for these projects first use available entitlement funds to finance these projects. The conferees further direct that the specific funding allocated below shall not diminish or prejudice the application of a specific airport or geographic region to receive other AIP discretionary grants or multiyear letters of intent.

AIP HIGH PRIORITY PROJECTS

Airport	Project Description	Conference
Akutan Airport	Runway Improvements and access road	$4,000,000
Barter Island Dew Airport (Kaktovik)	Passenger Terminal	2,000,000
Juneau International Airport	Snow Removal and other improvements	3,000,000
Kodiak Airport	Various Improvements	2,000,000
Palmer Municipal Airport	Various Improvements	1,000,000
Petersburg Airport	Runway Apron & Various improvements	4,000,000
Blackwell Field Airport	Land Acquisition for Runway Extension	2,000,000
City of Hartselle (Roundtree Field)	Apron expansion	280,000
Fairhope Municipal	Runway replacement; convert runway to taxiway	1,500,000
Lawrence County Airport	Runway 13/31 rehabilitation	900,000
Madison County Executive Airport	Security fencing, drainage imps;; land acquis;; taxiway	1,500,000
Mobile Downtown (Brookley Field)	Runway Rehabilitation	2,000,000
Montgomery Regional (Dannelly Field)	Terminal Construction	2,500,000
Richard Arthur-Fayette Field	Improve and extend runway	1,000,000
Shelby County Airport	Land Acquisition, Runway & Taxiway	2,000,000
Centre-Piedmont-Cherokee Regional	Master Plan and land acquisition	2,000,000
Batesville Regional Airport	Install localizer, DME; runway lighting; relocate hangers	800,000
Northwest Arkansas Regional	Airport Expansion	2,500,000
Deer Valley Airport	Various improvements	800,000
Williams Gateway Airport	Construct north ramp taxiway	1,275,000
Fresno Yosemite International Airport	Runway rehabilitation; redesign; access control system	800,000
Imperial Valley Regional	Cargo airport feasibility study	400,000
Little River Airport Mendocino County	Land acquisition	175,000
Meadows Field Airport	Terminal master plan; runway extension	1,700,000
San Bernardino International	Runway repair and replacement	1,000,000
San Francisco International Airport	Various improvements	5,000,000
Southern California Logistics Airport	Engine run-up area	1,500,000
Stockton Metropolitan	Cargo apron on north side of runway 11L/29R	1,300,000
Georgetown Air Services Airport	Security Improvements	100,000
New Castle County Airport	Digital Video Recording System	150,000
Ft. Lauderdale-Hollywood International	Develop and design automated people mover	500,000
Inverness and Crystal River Airports	Security improvements	600,000

AIP HIGH PRIORITY PROJECTS—Continued

Airport	Project Description	Conference
Miami International Airport	Apron replacement for parking; security enhancements	1,000,000
Orlando International Airport	Wildlife Attractants Project	4,000,000
Orlando Sanford Airport	Extension of runway 9R/27L	1,000,000
Bush Field Airport	New Terminal, Access & Parking	1,000,000
Cherokee County Airport	Runway extension and parallel taxiway	1,500,000
Glynco Jetport Terminal	Modernize facility for operations and security needs	2,000,000
Council Bluffs Airport	Land Acquisition, Runway	1,000,000
Eastern Iowa Airport	Rehabilitation of taxiways and general aviation apron	1,000,000
Fairfield Municipal Airport	Runway & Taxiway	500,000
Mason City Municipal	Reconstruct primary runway (17/35)	2,000,000
Ottumwa Industrial Airport	Partial parallel taxiway to runway end 31	1,000,000
Freeport Albertus Airport	Airport Improvement Projects	1,750,000
Greater Rockford Airport	Airport Improvement Projects	1,750,000
Quad City Airport/Moline	Airport Improvement Projects	750,000
Gary/Chicago Airport	Bituminous overlay for runway rehabilitation; apron expansion	1,100,000
Wichita Mid-Continent	Construct parallel runway and connecting taxiways	3,000,000
Barkley Regional Airport	Runway Extension, Various improvements	3,700,000
Blue Grass Field	Expansion of air carrier ramp	739,800
Bowman Field	Reconstruct taxiway and apron	1,500,000
Hawesville-Hancock County	Design/construct runway	1,000,000
Hazard Airport	Runway extension	2,000,000
Henderson City/County Airport	Taxiway relocation	850,000
Madison County Airport	Runway safety area improvement	450,000
Marion/Crittendon County Airport	Engineering for phase 1 development; escavation	800,000
Mt. Sterling-Montgomery Airport	Parallel taxiway	500,000
Princeton/Caldwell County Airport	Runway Extension	750,000
Rowan County Airport	Master plan, environmental, grade and drain	2,000,000
Somerset Airport	Runway extension and runway overlay	1,350,000
Tri-County Northern Regional Airport	Various improvements	350,000
Williamsburg/Whitley County Airport	Grade and pave for new airport	2,000,000
Armstrong International Airport	Airfield safety improvements; other improvements	1,000,000
Houma-Terrebone	Runway upgrades	2,000,000
Monroe Regional Airport	Terminal	725,000
Ryan Field Baton Rouge Airport	Various improvements, Language	1,000,000
Shreveport Regional Airport	Runway, Noise, Cargo	4,000,000
Slidell Municipal	Airport taxiway reconstruction	500,00
Cherry Capital Airport	Terminal Construction	2,000,000
Oakland International	Noise mitigation activities	2,000,000
Minneapolis St. Paul	Deicing pad for runway 12R	6,000,000
Joplin Airport	Environmental assessment and design—new terminal	810,000
Kennett Memorial Airport	New runway construction	2,000,000
Lewis County Airport	Hangar Projects	900,000
Springfield/Branson	Design for new midfield terminal	3,000,000
Washington Memorial Airport	Runway Project	150,000
Gulfport-Biloxi Airport	Terminal Expansion & Security	4,250,000
Houston Municipal Airport	Various improvements	600,000
Bert Mooney Airport	Various improvements	750,000
Great Falls International Airport	Category III Upgrades	2,000,000
Helena Regional Airport	Facility Modernization	1,250,000
Missuola International Airport	Master Plan, Runway, Land	4,000,000
Andrews-Murphy Airport	Runway extension; taxiway and RSA; land acquisition	1,200,000
Anson County	Various improvements	1,500,000
Concord Regional Airport	Runway Ext., Land Acquisition	2,000,000
Johnson County Airport	Wetland mitigation; construction of extended RSA	1,000,000
Macon County Airport	Runway extension EIS, design, and preliminary engineering	900,000
Monroe Municipal Lincoln County	Security fencing	300,000
Morgantown Lenoir Airport	Partial parallel taxiways; widen/overlay runway	1,000,000
Statesville Municipal Airport	Land acquisition; design/build runway extension; install ILS	1,000,000
Bismark Municipal Airport	Terminal Replacement	5,000,000
Central Nebraska Regional Airport	Taxiway & Runwawy	4,400,000
Newark International Airport	Engineering studies/EIS for installation of LDA w/glideslope	1,000,000
Dona Ana County Airport	Runway and Taxiway	1,000,000
Reno Stead Airport	Runway and Taxiway	2,000,000
Reno/Tahoe International Airport	Taxiway, Runway	2,000,000
Hancock International	Various equipment improvements	100,000
Niagara Falls International Airport	Rehabilitate apron; access improvements; hanger demolition	100,000
Niagara Falls International Airport	Rehabilitate apron; access improvements; hanger demolition	650,000
Plattsburgh International	Construct terminal; rehabilitate hangers	2,000,000
Akron-Canton Regional	Design and construction of terminal expansion	4,000,000
Cincinnati Municipal (Lunken Field)	Security fencing	150,000
Cleveland Hopkins	Install navaids; noise mitigation; security upgrades; lighting	1,000,000
Port Columbus International	Various improvements	1,150,000
Rickenbacker International	Rehabilitation/expansion of air cargo aircraft parking	4,000,000
Toledo Express Airport	Construction of aircraft parking apron; security enhancements	2,000,000
Bartlesville Municipal Airport	Runway, Safety Area	1,500,000
Davis Field Airport	Rehabilitate runway 13–31	750,000
Connellsville Airport	Runway extension; acquisition; other improvements	2,000,000
Erie International	Runway Extension	2,000,000
Jimmy Stewart Airport	Construct new, longer runway	1,000,000
Lawrence County Airport	Various improvements	250,000
Lehigh Valley International Airport	Lighting	1,000,000
Philadelphia International Airport	Reconstruct terminal apron; extend RSA;; security; airfield	2,000,000
Fairfield County Airport	Runway Extension	375,000
Spartanburlg Downtown	Construct RSA; extend runway	1,000,000
Chan Gurney Airport	Runway Lighting System	4,400,000
Highmore Municipal Airport	Runway	200,000
Chattanooga Airport	West airfield access road	2,310,200
McGhee Tyson Airport, Knoxville	Construct new taxiway, public access road, and service road	1,500,000
Nashville International Airport	Security Enhancement	2,000,000
Upper Cumberland Regional	Extend runway and parallel taxiway; land acquisition	500,000
Abilene Airport	Various improvements	2,000,000
Del Rio International	Land acquisition for runway extension	2,000,000
Denton Municipal Airport	Improvements	2,000,000
Draughon-Miller Regional Airport	Extend runway; improve parallel taxiwawy; lighting; elect. Vault	2,000,000
Fort Worth Alliance Airport	Extension of two runways	3,000,000
Gainesville Municipal Airport	Extend and mark runway 71–35; extend parallel taxiway	1,000,000
San Antonio International Airport	Various improvements	1,700,000
Valley International Airport	Land acquisition; reconstruct/relocate road	550,000
Ogden Hinckley Airport	Runway Extension	4,500,000
Blue Ridge Airport	Construction of facility for CAP	100,000
Charlottsville-Albermarle Airport	Various improvements	100,000
Frnaklin County Airport	Airport study	410,000
Manassas Airport	Various improvements	3,000,000
Washington Dulles International	Various improvements	1,000,000
Rutland State Airport	Public Taxiway	1,000,000
Bremerton Airport	Various improvements	300,000
Spokane International Airport	Taxiway	4,000,000
Central Wisconsin Airport	Reconstruct primary air carrier runway & parallel taxiway	8,000,000
LaCrosse Municipal Airport	Parallel Taxiway	2,000,000
Upshur County Airport	Runway extension; obstruction removal; apron const.	1,000,000
WV Airports	Various improvements	8,000,000
Cheyenne Airport	Runway Safety Area & Taxiway	5,000,000

SMALL COMMUNITY AIR SERVICE DEVELOPMENT

The conference agreement deletes the separate appropriation for this program proposed by the House. Instead, this program is funded under ''Grants-in-aid for airports'' at the level proposed by both the House and Senate.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

The conference agreement limits administrative expenses of the Federal Highway Administration (FHWA) to $316,126,000, instead of $370,042,000 as proposed by the House and $317,732,000 as proposed by the Senate.

The conference agreement provides that certain sums be made available under section 104(a)(1)(A) of title 23, U.S.C. to carry out specified activities as follows: $7,500,000 shall be available for child passenger protection education grants as authorized under section 2003(b) of Public Law 105–178, as amended; $47,000,000 shall be available for border safety inspection facilities at the Southern border; $59,967,000 shall be available for the Federal Motor Carrier Safety Administration's border enforcement activities; $269,700,000 shall be available for surface transportation projects; and $7,000,000 shall be available for environmental streamlining.

The conferees recommend the following adjustments to the budget request by program and activity:

Employee development (including FECA administrative costs)	−$1,606,000

FHWA streamlining.—The conferees direct the Federal Highway Administration (FHWA) to provide the House and Senate Committees on Appropriations a report, not later than April 15, 2003, summarizing FHWA's streamlining efforts, as proposed by the House. The report should include specific examples of FHWA activities that help streamline the environmental process.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for the federal-aid highways program to $31,800,000,000 as proposed by the Senate, instead of $27,653,143,000 as proposed by the House.

Performance based outcomes.—The conferees recognize the positive impact that performance based outcomes have on the road building industry by allowing contractors the freedom and flexibility to focus on quality long term performance and encourage the Department of Transportation to continue to explore their use.

Broughton Bridge improvements.—A total of $1,850,000 was provided to make improvements to Broughton Bridge, Kansas, in Public Laws 106–346 and 107–87. The conferees direct that the balance shall be available to make improvements to the access road to the bridge, including pavement overlay and related shoulder work.

Middle East-West Highway.—Of the funds provided for Middle East-West Highway, Maine, not less than $1,000,000 shall be used to study a potential East-West corridor in Maine and other ferry terminal facilities, as proposed by the Senate.

Large Project Management and Oversight.—As evidenced by the high profile difficulties that have plagued the Central Artery, Woodrow Wilson Bridge, and Springfield Interchange projects—including dramatic cost increases and significant schedule delays—the need for improvement of FHWA's financial oversight and accountability on large projects cannot be overemphasized. Although the FHWA has made notable progress in converting these difficulties into constructive catalysts for change, the conferees remain concerned about project management. The Inspector General has noted that FHWA's traditional engineering focus has inhibited the effective scrutiny of other major project drivers such as financing, cost controls, and schedule performance. To successfully refocus on the evaluation of each state's processes for managing and overseeing projects, the FHWA will need to evaluate the range of disciplines and skills within its staff. Specifically, the conferees direct the FHWA to develop a strategy for achieving a more multidisciplinary approach towards its oversight activities, to include: identification of staff with private sector management skills, such as financing and cost estimation; streamlining and delegation of project-level approvals to facilitate greater emphasis upon oversight of higher-level management and financial issues; and implementation of a planned data collection system for trend analysis. The conferees further direct FHWA to deliver this strategy no later than May 15, 2003.

Ambassador Bridge.—The conferees continue language directing the FHWA to ensure that funds provided for the Ambassador Bridge/Gateway Project in Public Law 105–178 are used only for that project.

Rural Road Safety.—The conference agreement retains language pertaining to rural road safety, requiring GAO to review federal funding of rural road safety improvements and to determine whether some interstate design characteristics could improve rural road safety. The report is to be submitted one year from the date of enactment of this Act.

Interstate 49 South, Louisiana.—The conferees have been informed of the decision of FHWA to sign a record of decision on the alignment of Interstate 49 south of Interstate 10. House Report 107–722 clearly directs the agency to evaluate alternative routes to this project, including the Teche Ridge route. The conferees direct FHWA to conduct a study of the feasibility of a supplemental roadway to evacuate motorists in the event of a natural disaster, which shall include the Teche Ridge route and other routes or corridors. The conferees agree that the review shall not prevent progress or delay the completion of this project.

Costa Mesa, California, Susan Street Project.—Regarding the Costa Mesa, California, Susan Street Project, the Director and the District 12 Director of the California State Department of Transportation are directed to certify to the House and Senate Committees on Appropriations and the Secretary of the United States Department of Transportation within 90 days of enactment of this Act that all State operational and safety requirements have been met with regard to the execution of the New Harbor Boulevard North Off-Ramp project along the Route 405 Distributor Road in Costa Mesa, California. The Director of the California State Department of Transportation, after making such certification, may then approve the access point of the proposed off-ramp from the Interstate System in accordance with applicable State law and procedures.

Pennsylvania Avenue.—The conferees have included $6,100,000 for planning and design activities and for the initiation of construction of the improvement project at Pennsylvania Avenue in front of the White House. Of the funds provided, $2,800,000 is to complete the planning and design for the project and $3,300,000 is for conducting structural testing of streetscape components, initial surveying and utility relocation. In addition, $5,000,000 is provided for transportation studies to address traffic problems in the immediate vicinity of the White House, including an engineering design to alleviate congestion resulting from street closures in that area. The project is to be managed by the FHWA in consultation with the National Capital Planning Commission.

The Federal Highway Administration shall submit a report to the House and Senate Committees on Appropriations and the Office of Management and Budget within 6 months of enactment of this Act on the Pennsylvania Avenue enhancements, as well as the study that examines the impacts of street closures and traffic restrictions in the vicinity of the White House.

LIMITATION ON TRANSPORTATION RESEARCH

The conferees provide a general limitation on transportation research of $462,500,000, as proposed by both the House and the Senate.

SURFACE TRANSPORTATION RESEARCH

Within the funds provided for surface transportation research, the conference agreement includes $103,000,000 for highway research and development for the following activities:

Environmental, planning, real estate	$16,700,000
Research and technology program support	8,500,000
International research	400,000
Structures	13,500,000
Safety	12,200,000
Operations and asset management	16,000,000
Pavements research	15,500,000
Long term pavement project (LTPP)	10,000,000
Advanced research	750,000
Policy research	8,700,000
R&T strategic planning and performance measures	750,000
Total	$103,000,000

Environmental, planning, and real estate.—The conference agreement provides $16,700,000 for environmental, planning, and real estate research. Within the funds provided for this research activity, the FHWA is encouraged to provide $800,000 for the completion of the dust and persistent particulate abatement demonstration study at Kotzebue, Alaska.

Research and technology.—The conference agreement provides $8,500,000 for research and technology program support. Within the funds provided for this activity, the FHWA is encouraged to provide $750,000 for the Center on Coastal Transportation Engineering Research at the University of South Alabama.

International research.—The conferees have provided $400,000, the level authorized under TEA–21, for international research activities. Further, FHWA is directed by the conferees to consult the House and Senate Appropriations Committees before any international agreements are consummated that are likely to require financial support.

Structures.—The conference agreement provides $13,500,000 for structures research. Within the funds provided for structures research, the conferees encourage the FHWA to provide: $1,000,000 for the deployment of lithium technologies to prevent and mitigate alkali silica reactivity; $1,000,000 for the New York City Bridge Corrosion Monitoring Project; $250,000 for a demonstration project to evaluate battery powered cathodic protection to extend the life of concrete bridges located in extreme cold climates; and $250,000 to support non-destructive structural evaluation technology at the New Mexico State University's Bridge Research Center. The conference agreement also directs the FHWA to continue its collaborative research effort with West Virginia University's Constructed Facilities Center on composite structure and related engineering research.

Safety.—The conference agreement provides $12,200,000 for safety research. Within the funds provided for this activity, the conferees encourage FHWA to provide: $600,000 to the University of Florida's Seniors Institute for Transportation and Communications; $1,200,000 to the National Transportation Research Center, University of Tennessee for heavy vehicle research; and $1,500,000 to conduct research into heavy vehicle safety and vulnerability assessments regarding security and safety in all modes of transportation at a not-for-profit, technology-oriented entity in the Pacific Northwest with demonstrated research capabilities to address issues of braking, vehicle electrification, and human factors.

Operations and asset management.—The conference agreement provides $16,000,000 for operations and asset management. Within the funds provided for this activity, the conferees encourage FHWA to provide $550,000 to South Carolina State University for the Southern Rural Transportation Center; $400,000 to the Orangeburg County Rural Transit Demonstration project at South Carolina State University; and $1,200,000 to analyze existing conditions and make recommendations that will enhance the freight mobility transportation system in Washington State.

The conference agreement does not provide funds for statistical analysis of the National Quality Initiative under any FHWA research program, as proposed by the House. Such analysis shall be performed by the Bureau of Transportation Statistics.

Pavements.—The conference agreement provides $15,500,000 for pavements research. Within the funds provided for this activity, the conferees encourage FHWA to provide: $1,000,000 to the Center for Portland Cement Concrete Pavement Technology at Iowa State University; $500,000 to support the Institute for Aggregate Research at Michigan Technological University; $750,000 to continue evaluation of GSB–88 emulsified binder treatment application; $1,000,000 for the National Center for Asphalt Technology (NCAT) at Auburn University, Alabama; and $500,000 to continue research related to silica fume high performance concrete.

Policy.—The conference agreement provides $8,700,000 for policy research. Within the funds provided for this activity, FHWA shall provide $2,200,000 to the University of Kentucky's Academy for Community Transportation Innovation for transportation research on integrating public involvement technology and environmental issues.

Pavement Testing. FHWA is currently conducting research to study, select, build, and test up to twelve lanes of newly constructed asphalt pavement. The conferees are concerned that the current Superpave system does not effectively characterize the performance of modified asphalt binders. Therefore, the conferees direct FHWA to add unmodified binders to the Accelerated Load Frame (''ALF'') tests that are currently being undertaken, specifically the Full-Scale Accelerated Performance Testing for Superpave and Structural Validation testing being performed at the Turner Fairbanks Highway Research Facility. Unmodified asphalt binders shall be tested to serve as a comparison to the modified asphalt binders. FHWA shall also measure emissions during application and report the findings as a part of this study.

INTELLIGENT TRANSPORTATION SYSTEMS

The conference agreement provides a limitation on Intelligent Transportation Systems of $232,000,000, as proposed by the Senate. Of the total, $110,000,000 is for intelligent transportation systems (ITS) research and development, as proposed by the Senate, for the following activities:

Research and development	$50,701,000
Operational tests	10,782,000
Evaluations	6,739,000
Architecture and standards	18,686,000
Integrations	11,455,000
Program support	11,455,000
Total	110,000,000

Research.—The conference agreement provides $50,701,000 for research and development. Within the funds provided for this activity, the conferees encourage FHWA to provide $6,800,000 for commercial vehicle research.

Joint Program Office.—In the early 1990s, the Appropriations Committees expressed strong support for the formulation of a Joint Program Office (JPO) within the DOT to oversee the federal role in the National Intelligent Transportation system (ITS) effort. This office, which is located within the Federal Highway Administration, now provides overall program direction and budget coordination among the multiple DOT offices conducting ITS activities. The success of the federal investment in ITS has been due partly to the effective functioning of the JPO. For example, the JPO's close association with FHWA's research, headquarters staff, and regional offices has ensured a unified approach to providing training, implementing and testing standards, and adhering to a national systems architecture. The conferees maintain that the JPO's positive working relationship with the FMCSA and FTA has facilitated progress in advancement of technologies and the deployment of activities.

The appropriation for ITS provided by the conferees is predicated on the continuation of the JPO conducting the functions identified previously. Maximum efficiencies are most likely to be obtained by retaining the current administrative structure of the JPO within the FHWA with a reporting function to the Deputy Secretary. If there is any change in the administrative structure or responsibilities of the JPO, the Secretary is directed to inform the House and Senate Committees on Appropriations and to justify in detail such changes.

Intelligent transportation systems deployment projects.—Within the funds available for intelligent transportation systems deployment, the conference agreement provides that not less than the following sums shall be available for intelligent transportation projects in these specified areas:

Project Name	*Conference Total*
Advance Traveler Information System & Smart Card System, Ohio	$1,000,000
Advance Traffic Analysis Center, North Dakota State University	1,000,000
Alaska Statewide: Smart Emergency Medical Access System	1,000,000
Automated Vehicle Location (AVL) and Mobile Data Terminals—Palm Tran, Palm Beach, Florida	850,000
Baton Rouge, Louisiana	750,000
Bozeman Pass Wildlife Channelization Study, Montana	250,000
Capital District Transportation Authority, Customer Information ITS Project, New York	800,000
CCTA Burlington Multimodal Transit Center, Vermont	500,000
C–DOT ITS for I–70 Tunnels, Colorado	3,700,000
Center for Injury Sciences UAB Crash Notification, Alabama	3,000,000
Central Florida Regional Trans. Authority Orange/Seminole ITS	1,500,000
Chapel Hill Transit, North Carolina, real time passenger information system and vehicle location system	750,000
Chattanooga (CARTA) ITS, Tennessee	1,875,000
Cicero Avenue travel information system, Illinois	300,000
City of Austin, Texas ITS Deployment Program, Texas	500,000
City of Boston intelligent transportation system, Massachusettes	1,000,000
City of Inglewood, California intelligent transportation system deployment project	500,000
CVISN, New Mexico	525,000
DelDOT Integrated Transportation Management System, DelTrac, Statewide Transit Passenger Information System, Delaware	1,000,000
Elkorn Boulevard Project, Sacramento, California	125,000
Emergency Vehicle Access Program, Antrim, Pennsylvania	60,000
Emergency Vehicle Optical Pre-Emption, Town of Islip, New York	595,000
Flint Mass Transportation Authority ITS program, Michigan	1,000,000
Fog Detection Improvements and Traffic Monitoring, Rural Mountain Region, North Carolina	200,000
Gettysburg Borough Signal Coordination and Upgrade-Signalization; Adams County, Pennsylvania	1,500,000
GMU ITS Research, Virginia	1,000,000
Great Lakes ITS program, Michigan	1,500,000
Harrison County Sheriff's Department ITS, Mississippi	750,000
HART Bus Tracking & Communication, Florida	4,000,000
Hoosier SAFE–T, Indiana	500,000
Houma, Louisiana	1,250,000
Huntsville, Alabama	1,500,000
I–80 Dynamic Message Signs Southern, Wyoming	3,000,000
I–90 Truck Wind Warning System, Columbia River, Washington	125,000
Idaho Commercial Vehicle Systems and Networks (CVISN)	750,000
Illinois Statewide	2,500,000
Intelligent transportation, Autonomous dial-a-ride transit (ADART) phase IV implementation, Corpus Christi, Texas	500,000
Intermodal ITS center, Orleans Parish, Louisiana	500,000
Interstate 95/Interstate 40 travel information improvements, Johnston County, North Carolina	500,000
Iowa Statewide ITS, Iowa	1,400,000
Kansas City Scout Advanced Traffic Management System, Missouri	1,500,000

Project Name	Conference Total
Kansas City, Kansas Smart Port	500,000
Kent Intracity Transit Project, Washington	1,500,000
Law Enforcement Communications for Security, Biometrics, Iowa	2,550,000
Lynnwood ITS, Washington	2,000,000
Macomb County ITS Integration, Michigan	250,000
Maine Statewide Rural Advanced Traveler Info. System	1,000,000
Maryland Statewide ITS	1,000,000
Metrolina Traffic Management Center Communication, North Carolina	2,000,000
MetroLink Los Angeles Union Station (LAUS) passenger information delivery system project, California	500,000
Minnesota Guidestar	9,100,000
Missouri Statewide Rural ITS	2,150,000
Montachusett Area Regional Transit (MART) advanced vehicle located system, Massachusettes	200,000
Monterey-Salinas Transit, intelligent transportation system, California	750,000
Nebraska statewide ITS	3,000,000
New Bedford ITS Port Information Center, Massachusettes	1,000,000
New York Metropolitan Area enhanced operations, New York	655,000
Northern Virginia ITS, Virginia	750,000
Oklahoma Statewide ITS	2,750,000
Pennsylvania Turnpike Commission, Pennsylvania	2,000,000
Program of Projects, Washington	5,000,000
Providence Transportation Information Center ITS, Rhode Island	1,500,000
Richmond Highway intelligent transportation system project, Virginia	400,000
Round Rock, Texas, Williamson County, Communications Integration	500,000
Rural Highway Information System, Kentucky	6,000,000
Sacramento Area Council of Governments, Sacramento region intelligent transportation system projects, California	1,000,000
Salem, New Hampshire ITS	900,000
San Diego Joint Transportation Operations Center, California	2,000,000
Santa Teresa Border Tech Center, New Mexico State University	1,000,000
Shreveport ITS, Louisiana	1,000,000
Sierra Madre Intermodal Transportation Center, California	1,500,000
South Carolina DOT Statewide ITS	1,500,000
South Com Regional Dispatch Trauma Center, Matteson, Olympia Fields, and Richton Park, Illinois	100,000
SR–68/Riverside Dr. ITS Espanola, New Mexico	500,000
State of Wisconsin, deployment of commercial vehicle information system and networks, level one capability	500,000
Statewide Transportation Operations Center, Kentucky	1,365,000
Surface Transportation Institute, University of North Dakota	1,000,000
Surveillance Camera and Transportation Management Center, Des Moines, Iowa	400,000
The Rapid, Grand Rapids, Michigan Public Transportation	1,000,000
Traffic Corridor Communications System—Lake County, Illinois	2,000,000
Tri-Cities Advanced Traffic Management System, Washington	500,000
Tucson ER–LINK ITS project, Arizona	625,000
UALR intelligent transportation system, Little Rock, Arkansas	250,000
Univ. of Nebraska Lincoln SMART Transportation	1,000,000
University of Kentucky Transportation Center	1,500,000
US–395 Columbia River Bridge Traffic Operations and Traveler Information System, Washington	250,000
Utah ITS Commuter Link Davis and Utah Counties	1,000,000
Vermont Statewide Rural Advanced Traveler System	1,500,000
Vermont Variable Message Signs	1,000,000
Washington, DC Metro ITS	2,000,000
Wisconsin State Patrol Mobile Data Communications Network Upgrade	2,000,000

Projects selected for funding shall contribute to the integration and interoperability of intelligent transportation systems, consistent with the criteria set forth in TEA21.

FERRY BOATS AND FERRY TERMINAL FACILITIES

Within the funds available for ferry boats and ferry terminal facilities, funds are to be available for the following projects and activities:

Project Name	Conference Total
Beacon and Newburgh cities ferry boat and ferry facilities, New York	900,000
Beale Street Landing/Docking Facility Memphis, Tennessee	500,000
Coffman Cove/Wrangell/Petersburg Ferries & Ferry Facility, Alaska	1,850,000
Curtis ferry boat replacement, Maine State Ferry System	250,000
Ferry Boat Replacement for Rockland and Vinalhaven, Maine	1,000,000
Ferry Service, Dutchess and Orange County, New York	750,000
Fire Island Ferry Terminal, Saltaire, New York	250,000
Fishers Island Ferry District, Connecticut	2,500,000
Friday Harbor Ferry Terminal Preservation, Washington	2,000,000
Golden Gate ferry berth facility, San Francisco Terminal, California	500,000
Jacksonville Ferry Stations (formerly St. Johns River Ferry Terminal), Florida	500,000
Middle Bass Ferry Dock, Phase II, Ohio	500,000
Plaquemines Parish ferry, Louisiana	500,000
Port of Galveston, intermodal improvement program, Texas	250,000
San Francisco Bay Area Water Transit Authority Ferry Purchase Project, California	2,500,000
Savannah Water Ferry, Georgia	500,000
Ship Island Terminal, Gulfport, Mississippi	500,000
Stamford High Speed Ferry, Connecticut	500,000
Toledo Hovercraft service development, Ohio	750,000
Vallejo Baylink Ferry Intermodal Center, California	1,000,000

NATIONAL CORRIDOR PLANNING AND DEVELOPMENT PROGRAM

Within the funds available for the national corridor planning and development program, funds are to be available for the following projects and activities:

Project Name	Conference Total
12 Mile Road, Orchard Lake Road to Middlebelt Road, Michigan	1,275,000
Alameda Corridor East, Los Angeles County, California	1,495,000
Appalachian North-South Corridor Planning Study, Maryland	500,000
Appalachian North-South Corridor Study on US Route 220, West Virginia	1,500,000
Arkansas-Tennessee River Crossing Projects	1,000,000
Barton River Port Industrial Park, US Highway 72, Colbert County, Alabama	1,500,000
Billings Bypass Development, Montana	3,000,000
Bomber Road, Fort Worth, Texas	1,500,000
Charlotte/Mechlenburg County N/S Transitway, North Carolina	2,000,000
Coalfields Expressway McDowell County, West Virginia	9,000,000
Continental–1 Hwy Corridor Cambria County, Pennsylvania	1,500,000
County Road 222 Bridge, Cullman County, Alabama	1,000,000
Cross Harbor Freight Movement Project Environmental Impact Statement, New York	2,000,000
Dempster Commercial Corridor Improvements, Village of Morton Grove, Illinois	450,000
Donna-Rio Bravo International Border Crossing, Texas	750,000
East-West Highway, Maine	1,500,000
Everett Development 41st Street Interchange, Washington	1,000,000
Fairmont Gateway Connector (1–79 Connector), West Virginia	2,000,000

Project Name	Conference Total
Ft. Wainwright Alternative Access & Chena River Crossing, Alaska	1,500,000
Gateway Corridor Initiative, Indiana	600,000
Granite Falls Alternate Route Project, Washington	750,000
Heartland Expressway (SD79), South Dakota	500,000
Highway 100 (Collins Road), Cedar Rapids, Iowa	1,000,000
Highway 15 Bridge Replacements, Jasper County, Bay Springs, Mississippi	1,500,000
Highway 231 Glover Carey Bridge and Owensboro intersection, Kentucky	800,000
Highway 412 Springdale Bypass, Springdale, Arkansas	2,278,000
Highway 55 Corridor Preservation, I–494 in Hennepin County to Annadale, Wright County, Minnesota	1,500,000
Highway 71 Texarkana South, Arkansas	600,000
Highway US 12 Phase II, between Burbank and Walla Walla, Washington	1,900,000
Hot Springs Bypass, Highway 270 to Highway 5/7, Arkansas	1,000,000
Hwy 412 Widening Paragould Hwy 141, Arkansas	5,500,000
Hwy-28 Expansion Vernon Parish, Louisiana	3,000,000
I–10/LA–1 Interchange Bypass West Baton Rouge Parish, Louisiana	500,000
I–15 Widening Project North Las Vegas, Nevada	1,000,000
I–35 expansion, Hill County, Texas	1,500,000
I–35/127th Street Overpass, Olathe, Kansas	2,000,000
I–39 (Stevens Point-Mosinee), Wisconsin	2,000,000
I–5 SR 542 Widening Sunset Drive Orleans to Britton Rd., Washington	2,000,000
I–5 Trade Corridor, Oregon	3,500,000
I–65 and County Road 24 interchange, Limestone County, Alabama	1,500,000
I–66, Pike County, Kentucky	2,000,000
I–69 Connector from I–530 in Pine Bluff, Arkansas	700,000
I–69/Great River Bridge: Highway 65, Mississippi Highway 1, Mississippi	4,000,000
I–74 Bridge Project, Iowa	3,000,000
I–75, Laurel County, Kentucky	2,000,000
I–80 Colfax Narrows Project, Placer County, California	249,500
I–85 Extension from Montgomery to I–20/59, Alabama	500,000
IH 35–FM 2484 Amity Road, Shankin Road Overpass, Bell County, Texas	2,000,000
Illinois Pioneer Parkway and Growth Cell Infrastructure Improvements, Peoria, Illinois	1,000,000
Illinois Route 29, Berry and Edinburg, Illinois	1,200,000
Intermodal Transportation for corridor from Atlanta to Chattanooga, Tennessee	1,500,000
Kenai Penninsula Borough Road Improvements, Alaska	1,000,000
KY61 Greensburg to Columbia, Kentucky	4,000,000
LA 1 Embankment Stabilization Improvements, Louisiana	3,000,000
LA–11 St. Tammany Parish, Louisiana	300,000
Lakeland In-Town Bypass, Florida	500,000
Lincoln Bypass, SR 65/Westwood Interchange Construction, California	2,000,000
Lincoln Highway 65 Widening (The Gap) Project, California	2,000,000
Martel Road Underpass, Loudon County, Tennessee	1,400,000
Meridian Bridge Replacement, US 81 Missouri River, Yankton, South Dakota	500,000
Mill Plain Boulevard at I–205, Washington	3,000,000
Missisquoi Bay Bridge Reconstruction, Vermont	2,000,000
Monticello Street Overpass, Kentucky	7,750,000
New Corridor Land Acquisition; Westlake—North Olmstead/Crocker—Stearns Connection, Ohio	400,000
New Route 905 Otay Mesa to I–5/I–85m, California	4,000,000
New York Avenue Between 11th Street and Nassau Road, Huntington Station, New York	500,000
North Country Trans. Study Plattsburgh/Watertown, New York	2,000,000
North Street Corridor, Fitchburg, Massachusetts	800,000
Northern Bypass Around Somerset, Kentucky	2,500,000
Old Highway 471, Rankin County, Mississippi	1,500,000
Polk County Highway 22 Project, Oregon	3,000,000
Port Connector Road, Pine Bluff/Jefferson County, Arkansas	600,000
Railroad Avenue Extension, Berkeley County, South Carolina	1,000,000
Ranchero Road/Cajon Line Grade Separation, California	1,500,000
River Road from Beargrass Creek to Zorn Avenue, Kentucky	1,250,000
Route 1/9, 35 Interchange, New Jersey	850,000
Route 106 Mansfield, Massachusetts	500,000
Route 116 planning and design, Amherst, Massachusetts	800,000
Route 12, Auburn Veteran's Memorial Corridor, Auburn, Massachusetts	250,000
Route 2 Improvements in Erving, Orange, Massachusetts	4,400,000
Route 334/Derr Road, Ohio	1,600,000
Route 422 East, between New Castle and Rose Point, Pennsylvania	1,000,000
Route 67, St. Francois County, Missouri	500,000
Route 7 Bypass West of Leesburg (Loudon County/Town of Leesburg), Virginia	2,188,000
Route 72 Relocation, Bristol, Connecticut	1,500,000
Route 79 Relocation and Harbor Enhancement, Fall River, Massachusetts	500,000
Rt–403 Relocation East Greenwich/North Kingstown, Rhode Island	1,000,000
South Avis Industrial Access Road, Pennsylvania	600,000
Southern Bypass Around Somerset, Kentucky	1,500,000
Southern Mahoning County US 62/SR 14 Bypass, Ohio	1,000,000
SR 247 and SR 2008, Moosic Mountain Business Park, Lackawanna County, Pennsylvania	1,000,000
SR–130 Right of Way Williamson Guadalupe Travis and Caldwell, Texas	10,000,000
State Highway 158—US 87 to 4.75 miles west, Sterling County, Texas	850,000
Sterns Road Fox River Bridge Crossing, Illinois	7,000,000
STH 29 (Chippewa Falls I–94), between I–94 and CTH J, Wisconsin	2,000,000
Sunland Park Dr. Border Rd. Extension, New Mexico	4,000,000
Thomas Cole House Access, Catskill, New York	22,000
Trunk Highway 23 (TH 71 to CSAH 31), Minnesota	1,000,000
Tuscaloosa Eastern Bypass, Alabama	10,000,000
U.S. 24 Corridor Improvement Study and Implementation, Ohio	2,000,000
U.S. 319 Expansion, Florida	3,000,000
U.S. Route 35 Improvements (upgrade road to I–64/US Route 35), West Virginia	4,115,000
US 17/521 Improvements Georgetown, South Carolina	2,000,000
US 20 relocation and right of way, Webster, Iowa	2,500,000
US 22 Reconstruction, Export to Delmont, Pennsylvania	1,000,000
US 278 Cullman County, Alabama	500,000
US 280/US 27 Intersection Improvement, Chattahoochee County, Georgia	250,000
US 41 A, Hopkins County, Kentucky	660,000
US 60 Carter & Butler Counties, Missouri	10,000,000
US 87 Relief Route, Lamesa, Texas	850,000
US Route 422 Transportation Improvement Project, Pennsylvania	1,000,000
US–23 Buford Hwy Pedestrian Safety Project, Georgia	625,000
US–26 Widening SB–Heartland Expressway, Nebraska	1,500,000
US–287 Corridor Development, Oklahoma	1,500,000
US–287 Wiley Junction Improvements, Colorado	3,000,000
US–412, Arkansas	6,000,000
US–51 to MS–43 Connector Road Canton, Mississippi	1,000,000
US–85/C–470 Santa Fe Interchange, Colorado	2,000,000

Project Name	Conference Total
US–95 Milepost 536 Stage 2 Construction Boundary County, Idaho	1,000,000
US–95, Worley to Mica, Stage 2, Idaho	7,000,000
USH 10 (Stevens Point-Waupaca), Wisconsin	2,000,000
USH 53 Bypass of Eau Claire, Wisconsin	3,000,000
Veteran's Drive from Broadway to I–474, Pekin, Illinois	500,000
West End Bypass, Johnstown, Pennsylvania	1,000,000
West Laredo Multimodal Trade Corridor, Texas	3,500,000
Western Hamilton County Corridor Study, Ohio	762,500
Whatcom County, Cascade Gateway Mobility and Security Improvements, Washington	750,000
Whitley County emergency access road off US 25 W. Kentucky	380,000
Yakima Grade Separation, Washington	3,500,000

Arkansas-Tennessee River Crossing Projects.—The conference agreement includes $1,000,000 to study the costs and benefits of constructing a bridge across the Mississippi River in the Memphis, Tennessee, metropolitan area. Within the amounts provided, the conferees expect that not less than $375,000 shall be used by the Great River Economic Development Foundation to study a potential 25-mile toll parkway from Osceola, Arkansas to Millington, Tennessee, including a new bridge across the Mississippi River.

TRANSPORTATION AND COMMUNITY AND SYSTEM PILOT PRESERVATION PROGRAM

Within the funds made available for the transportation and community and system pilot preservation program, funds are to be distributed to the following projects and activities:

Project Name	Conference Total
10th Street South Project St. Cloud, Minnesota	750,000
14th Street Bridge Corridor, Virginia	2,000,000
19th Ave. North Extension/Reconstruction Clinton, Iowa	750,000
Aberdeen Downtown Revitalization, Washington	100,000
Alexandria Third St. Downtown Reconnect Project, Louisiana	250,000
American Tobacco Trail Project, Wake County, North Carolina	600,000
Amsterdam Revitalization Waterfront, New York	500,000
Antelope Valley Overpass Lincoln, Nebraska	750,000
Arlington Boulevard design enchancements, Virginia	100,000
Atchinson Riverfront Access Parkway Project, Kansas	1,000,000
Bagley Road Pedestrian Project Berea, Ohio	1,300,000
Bellingham Central Avenue Pedestrian Corridor, Washington	250,000
Billings Railroad Separation Study, Montana	100,000
Boston Medical Center Pedestrian and Public Access Improvements, Massachusetts	200,000
Bowling Green Riverfront Project, Kentucky	4,500,000
Bronx Center Transportation Project—E 161st Section II: between Grand Concourse/Sherman Avenue and Park, New York	700,000
Bronx Center Transportation Project (East 161st Street), streetscape improvement between Park & 3rd Avenue, New York	300,000
Bronx River Greenway, Bruckner to Hunts Point Riverside Park, New York	700,000
CalTrain train tracking information system (SamTrans), San Mateo County, California	250,000
Camp Gorsuch Road & Related Improvements, Alaska	500,000
Campaign to Save Oatland's Scenic Vistas, Virginia	500,000
Center City/University City bike and pedestrian bridge improvements, Philadelphia, Pennsylvania	100,000
Centredale Village revitalizations, Rhode Island	300,000
Charles Town Gateway Revitalization Project, West Virginia	450,000
Charleston Renaissance Gateway Project, West Virginia	950,000
City of Baltimore public waterfront promenade, Maryland	1,000,000
City of Forth Worth corridor redevelopment program, Texas	795,000
Comprehensive transportation impact study for Ohio, Kentucky, Indiana Regional Council of Governments	300,000
Concord 20/20 Vision initiative, New Hampshire	500,000
Congestion improvements to East Passaic Street, New Jersey	100,000
Connaught Avenue Street Drainage Project, West Amwell Township, New Jersey	100,000
Copeland Covered Bridge, Saratoga County, New York	28,000
Corpus Christi Ferry Terminal, Texas	500,000
David L. Lawrence Convention Center Riverfront Park Pittsburgh, Pennsylvania	1,200,000
Detriot Streetscape Improvements, Michigan	350,000
Detroit Area Regional Transportation Authority (DARTA), Michigan	500,000
Dover Lincoln Park Center Project, Delaware	400,000
Downeast Heritage Center, Parking & Access, Maine	1,000,000
Eisenhower Avenue Greenway Phase II, Virginia	100,000
Elkins Railroad Bridge Visitors Center, West Virginia	600,000
Eugene Federal Courthouse Area Concept Development, Oregon	500,000
Fairbanks Street Improvements & Bike Path, Alaska	300,000
Five Point Improvement Project, Huntsville, Alabama	400,000
Flandreau Santee Sioux Tribe Bicycle and Walking Path, South Dakota	200,000
Fort Campbell Improvements, Kentucky	750,000
Frink Park Pier Project Clayton, New York	250,000
Gasholder House and Underground Railroad Museum, Oberlin, Ohio	200,000
Girdwood Road Culvery Improvement, Alaska	600,000
Grade Separation at intersection of Hamilton Boulevard over the CSX rail line near US 90, Mobile, Alabama	500,000
Grand Illinois Trail bike connections, Illinois	100,000
Greater Yuma Port Authority, Arizona	500,000
Greeno Road (US98) pilot program, Fairhope, Alabama	1,000,000
Greer Master Plan Rail Relocation Study—Greer, South Carolina	250,000
Gulf of Maine Research Laboratory Park/Ped., Maine	1,000,000
Haleyville, Alabama downtown revitalization	600,000
Hamilton Township Pedestrian Overpass, New Jersey	250,000
Highway-79 Corridor Greenway Project, Alabama	500,000
Historic Fort Mitchell, Alabama	1,000,000
I–40 and Avenue 'F' City Ramp Project, Oklahoma	500,000
I–55/Main St. Intersection, Missouri	100,000
I–93 Corridor Improvements, New Hampshire	1,000,000
Intermodal Urban Transit Village, North Hollywood, California	1,000,000
James H. Quillen VA Medical Center—Construction of VA-Indian Ridge Road—Mountain Home, Tennessee	852,000
Jasper, Alabama downtown revitalization	400,000
Johnsontown Road, Kentucky	1,000,000
Kansas City East/West Connector, Missouri	400,000
Kentucky Trimodal Transpark access road and I–65 interchange connector planning, Kentucky	1,700,000
Lewis and Clark Bicentennial Interpretive Trail Mobridge, South Dakota	250,000
Lewis and Clark Interpretive Center to Fort Mandan Shared Use Path, North Dakota	700,000
Living Wall project Farmington Hills, Michigan	200,000
Louisville Waterfront/Franfort Avenue historical entryway, Kentucky	530,000
Lower Second Creek Greenway, Knoxville, Tennessee	2,000,000
Main Ave. Bridge & Pedestrian/Bicycle Amenities Fargo, North Dakota	2,500,000
Marlboro Township traffic improvement project, New Jersey	100,000

Project Name	Conference Total
Massachusetts Wood in Transportation, Mount Wachusett Community College, Gardner, Massachusetts	200,000
MD–404 Shore Highway Phase II, Maryland	1,000,000
Monroe Township intersection signalization project, New Jersey	100,000
Morgan, Menifee, Rowan County Regional Business Park Access Road, Kentucky	250,000
Multimodal Transportation Plan, Wisconsin	325,000
Multi-use Equestrian and Hiking Trail, Holmes County, Ohio	520,000
Museum Campus Trolleys Chicago, Illinois	500,000
Nashville Rolling Mill Hills, Tennessee	500,000
Newberg-Dundee Transportation Improvement Project, Oregon	775,000
Northside Drive Corridor Design Clinton, Mississippi	500,000
North-south connect between Glassboro High Street commercial corridor and Rowan University, New Jersey	588,000
Odessa Transportation Plan, Delaware	100,000
Ohio River Trail—Salem to Downtown Cincinnati, Ohio	150,000
Oklahoma Transportation Center Improvements	350,000
Old Route 66 Streetscape Phase I Moriarity, New Mexico	400,000
Olympic Discovery Trail, Washington	1,000,000
Orange County Congestion Program, California	1,000,000
Owensboro Waterfront Development Project, Kentucky	750,000
Paintsville Lake Access Road, Kentucky	400,000
Pedestrian Bridge, 36th Avenue, Robbinsdale, Minnesota	750,000
Pennyrile Parkway Improvements, Kentucky	800,000
Pine Creek Bridge and Rail-Trail, Pennsylvania	200,000
Pine Mountain Industrial Park Access Road, Kentucky	1,500,000
Port of Anchorage Road Improvements, Alaska	600,000
Providence Road Trail Project Virginia Beach, Virginia	150,000
Revere, Massachusetts Wonderland Station	200,000
Route 50 traffic calming, Loudoun and Fauquier counties, Virginia	700,000
Route 79 Relocation and Harbor Enhancement, Fall River, Massachusetts	100,000
Ruffner Mountain Nature Center, Alabama	500,000
San Gabriel Valley Council of Governments/LA to Pasedena Metro Gold Line Construction Authority, California	2,900,000
San Luis Obispo City to Sea Bikepath, California	500,000
Selma Riverfront Project, Alabama	500,000
Shoreline Interurban Trail Construction Project, Washington	400,000
Simon Kenton Trail, Springfield to Urbana, Ohio	1,500,000
Somerset downtown revitalization, Kentucky	1,800,000
Somerset Pedestrian Overpass, Kentucky	1,200,000
South Bend Studebaker Corridor Industrial Park, Indiana	500,000
South Suburban Commuter Rail Service (Metra), Illinois	100,000
Southwick, North Central and Canalside Bike Trails, Massachusetts	1,000,000
Springfield Downtown Redevelopment Project, Vermont	1,000,000
SR202/I–70 Interchange improvement, Ohio	750,000
St. Petersburg, Florida, Bike/Pedestrian Master Plan	600,000
State of New Jersey Department of Motor Vehicle Services (NJ MVS)	1,000,000
Syracuse Lakefront Project, New York	1,400,000
Thea Foss Waterway Environmental Protection and Transportation Impact Study, Washington	500,000
Tiverton Stone Bridge abutment repairs and beautification, Rhode Island	100,000
Toulon Township, Illinois	200,000
Tower Bridge Pedestrian/Bikeway Improvements, California	900,000
Traffic calming devices and pedestrian streetscape improvements, Windemere, Florida	500,000
Traffic Calming Devices, Winter Park, Florida	500,000
Traffic Study on the New Smithsonian Air and Space Museum Annex at Washington Dulles Int'l Airport, Virginia	50,000
Trinity River Visions, Texas	500,000
Tulsa Trail System Broken Arrow, Oklahoma	1,250,000
Ulster County Visitor Center, New York	1,000,000
Union City NJ Traffic Signalization Project, New Jersey	1,000,000
US 441/State Road 7 Corridor Revitalization Plan, Florida	1,000,000
US–50 Reconstruction Dodge City, Kansas	500,000
VA Cemetary Road, Mobile, Alabama	1,000,000
Vanderbilt Children's Hospital, Tennessee	250,000
Village of Morton Grove, Illinois	1,000,000
Virginia Corridor Greenway Pilot Project Modesto, California	400,000
Wakulla County Florida US–319 Expansion	150,000
Watertown Community Trail Extension, South Dakota	100,000
Wichita Riverwalk on Arkansas River, Kansas	687,000
Yorktown Waterfront Revitalization & Streetscape, Virginia	500,000

Charles Town Gateway Revitalization Project, WV.—The conference agreement includes $400,000 for the Charles Town Gateway Revitalization Project in West Virginia. Within the amounts provided, the conferees expect that up to $200,000 shall be available for streetscape improvements on Washington Street with the remainder being available for the related gateway improvements.

BRIDGE DISCRETIONARY PROGRAM

Within the funds available for the bridge discretionary program, funds are to be available for the following projects and activities:

Project Name	Conference Total
12th Street Viaduct, Kansas City, Missouri	$ 900,000
Batchellerville Bridge replacement, New York	3,000,000
Bull Slough Bridge Repair, Alabama	1,000,000
Canvas Bridge Nicholas County, West Virginia	4,500,000
Chattahoochee River Bridge, Roswell, Georgia	3,000,000
Chouteau Bridge, Kansas City, Missouri	1,000,000
City of El Paso, Texas, Ysleta Port of entry dedicated commuter lane	300,000
Covered Bridges including $2M for Vermont	6,000,000
CR 528 Mantoloking Bridge, Brick Township, New Jersey	1,500,000
Gilmerton Bridge Replacement, Chesapeake, Virginia	2,000,000
Golden Gate Bridge Seismic Retrofit, San Francisco, California	4,250,000
Grand Lagoon Bridge Replacement, Florida	1,000,000
Highway 3364 bridge replacement at College Road, Bourbon County, Kentucky	200,000
Highway 82, Greenville Bridge, Arkansas	1,050,000
Historic Woodrow Wilson Bridge Flowood, Mississippi	750,000
Hood River/White Salmon Bridge and toll plaza resurfacing, Oregon	1,350,000
I–195 Washington Bridge, Rhode Island	4,500,000
I–30 replacement bridge, Dallas, Texas	1,750,000
I–40/Louisiana Interchange, New Mexico	750,000
Indian River Inlet Bridge Repair and Planning, Sussex County, Delaware	3,500,000
Interstate 74 Mississippi River Bridge between Moline, Illinois and Bettendorf, Iowa	1,000,000
Iowa/Nebraska Missouri River Bridge—#DPS–34–7 (114), near Plattsmouth, Nebraska	2,200,000
Leeville Bridge, Lafourche Parish, Louisiana	1,000,000
Lincoln County bridge renovation, Kentucky	1,000,000
Martin Luther King, Jr. Bridge rehabilitation, Ohio	3,750,000
Monroe Street Bridge rehabilitation, Spokane, Washington	3,000,000
Pearl Harbor Memorial Bridge Reconstruction, New Haven, Connecticut	3,000,000
Pearl River Bridge Connector I–55 to SR 475 Jackson, Mississippi	7,750,000

Project Name	Conference Total
Red Cliff Arch Bridge (US 24), Minturn, Colorado	1,500,000
Route 72 Manahawkin Bay Bridges, New Jersey	1,500,000
Sauvie Island Bridge Replacement Project, Oregon	2,000,000
Snake River Crossing, Twin Falls, Idaho	1,500,000
Wacker Drive Reconstruction Chicago, Illinois	3,500,000

FEDERAL LANDS

Within the funds available for the federal lands program, funds are to be available for the following projects and activities:

Project Name	Conference Total
KS–115 and KS–911 Interchange, Kentucky	$ 750,000
14th Street Bridge Corridor, Virginia	5,600,000
17-mile Road on Wind River Indian Reservation, Fremont County, Wyoming	650,000
206 Stokes State Park, New Jersey	740,000
Abraham Lincoln's birthplace, national historic site, Kentucky	780,000
Access roads to Beale Air Force Base, California	500,000
Arches National Park Main Entrance Relocation, Utah	837,500
BIA Route 1281 (Snake Road Realignment & Repair), Florida	500,000
Blackstone River Valley Bikeway, Rhode Island	3,000,000
Cattle Point Road (San Juan Island)—erosion remediation, Washington	350,000
Chilatchee Creek Park Access Road Improvements, Alabama	475,000
City of Boston—Boston Harbor Islands National Park/Long Island Pier Planning and design, Massachusetts	250,000
CN3852 FHP 45–1(5), Sunspot Road, New Mexico	1,000,000
Cold Hill Road, Laurel County, Kentucky	1,600,000
Colonial Historic Park—Jamestown 400th Anniversary Transportation Improvements, Virginia	2,000,000
Construct Regional Tourism Center and Transportation Hub, Hyde Park, New York	1,500,000
Council Grove Lake Embankment Roadway, Kansas	1,125,000
CTG G Road and Bike Route, Taylor County, Wisconsin	2,000,000
Daniel Boone Parkway, Kentucky	1,000,000
Forest Highway 87 (FM 201), Sabine National Forest, Sabine County, Texas	750,000
Fort Drum Road Improvements, New York	500,000
Freemont County Project, Wyoming	1,100,000
Frog Level Road Improvement, Mississippi	4,640,000
Gateway Trail Grand Canyon National Park, Arizona	842,500
GBH Soloman National Cemetery Access, Saratoga, New York	40,000
Glacier National Park Going-to-the-Sun Road, Montana	3,000,000
Hawaii Statewide Improvements	4,000,000
Highway 26, Oregon	1,235,000
Highway 93 Expansion Project, Montana	1,000,000
Homochitto National Forest access road, Lincoln County, Mississippi	2,000,000
Hoonah Road (FM), Alaska	1,400,000
Hoover Dam Bypass, Arizona	6,500,000
Hwy 2 Highline EIS Project, Montana	500,000
I–215 Widening, Nevada	2,000,000
Iditarod Historic National Trail Project, Alaska	250,000
Kenai River Trail, Alaska	500,000
Lake Mead National Recreation Area gateway improvements, Nevada	400,000
Land Between the Lakes Roads, Trigg and Lyon counties, Kentucky	100,000
Lewis and Clark Gates of the Mountains Road Project, Montana	600,000
Louisiana Highway (LA 117), 4-lane expansion study, Louisiana	250,000
Lowell Canalway and Riverwalk Design, Massachusetts	500,000
Mammoth Cave Parkway (KY 101), Edmonson County, Kentucky	450,000
Marin Parklands/Muir Woods visitor access, California	1,000,000
Marysville Road, Montana	500,000
Needles Highway, CA/NV Improvements, California	2,000,000
Presidio Trust/Crissy Field transit access improvement, California	1,000,000
Preston North and South Project, Nebraska	600,000
Rocks Back Country Byway, Stage 2, Cassia County, Idaho	1,000,000
Shotgun Cove Road, Alaska	2,500,000
Southeast Alaska Seatrails	500,000
Spirit Lake Tribe Shared Use Path Fort Totten, North Dakota	520,000
SR–149 Resurfacing Rio Grand National Forest, Colorado	1,500,000
SR–164 Muckleshoots, Washington	420,000
Timucuan Preserve bike route, Florida	1,000,000
Traffic abatement study at highway 98 and entrance to Hurlbert Field, Florida	250,000
Tualatin River NWR Turn Lanes, Oregon	745,000
US 95 Widening Laughlin Cut-off to Railroad Pass, Nevada	8,000,000
USMC Heritage Center Access Improvements, Virginia	2,000,000
Western Maryland Low Impact Welcome Center at Byron Overlook, Maryland	400,000
Woonsocket Depot rehabilitation, Rhode Island	1,000,000
Yakama Signal Peak Road, Washington	4,150,000

The conferees direct that funds allocated to FHWA's public lands discretionary program be derived from that program and not from funds allocated to the National Park Service's regions. In addition, the conferees direct that these funds not come from funds allocated to the Fish and Wildlife Service's regions, as proposed by the House.

SCENIC BYWAYS

Within the funds available for the scenic byways program, funds are to be available for the following projects and activities:

Berkshire/Franklin Mohawk Trail Scenic Byway & Berkshire Jacobs Ladder Trail Scenic Byway, Massachusetts	$ 1,000,000
Delsea Scenic Byway—Salem, Cumberland, Cape May Counties, New Jersey	149,000
High Street Revitalization, Lawrenceburg, Indiana	1,200,000
Intervale Scenic Vista Project, New Hampshire	500,000
Kentucky Scenic Byways	1,425,000
Mt. Greylock Reservoir Road Improvements, North Adams, Massachusetts	1,100,000
Multi-Colored Scenic Byways Signs for Idaho's Scenic, Historic, and Back County Byways	382,000
New York State Scenic Byways Project: Statewide	1,600,000
U.S. Route 40 and National Road, Garrett County, Maryland	233,600
Ventura Freeway Scenic Corridor Initiative, California	1,000,000
Washington DOT Scenic Byways Statewide Program	1,000,000

INTERSTATE MAINTENANCE DISCRETIONARY

Within the funds available for the interstate maintenance discretionary program, funds are to be available for the following projects and activities:

Project	Conference Total
Grandview Triangle, Kansas City, Missouri	$1,000,000
I–10 interchange at Grand Prairie Highway, Rayne, Louisiana	1,000,000
I–10 Riverside Avenue Interchange, California	1,800,000
I–12 at Essen Lane, Louisiana	250,000
I–15 Reconstruction 10800 South to 600 North, Utah	9,000,000
I–16 and Dean Forest Road Interchange, Georgia	250,000
I–16/I–95 Interchange Reconstruction Concept Study, Chatham County Georgia	250,000
I–182/SR–240 Interchange Reconstruction, Washington	3,000,000
I–195 Relocation Project, Rhode Island	3,000,000
I–235 Reconstruction, Polk County, Iowa	1,800,000
I–25 Broadway & Alameda Interchange Rebuilding, Colorado	4,500,000
I–26 Little Mountain Interchange improvements, South Carolina	500,000
I–29 Madison Street interchange, Sioux Falls, South Dakota	4,000,000
I–295 & Route 38 Missing Moves—Mount Laurel, New Jersey	250,000
I–295 Via Duct to I–76, New Jersey	1,000,000

Project	Conference Total
I–30/I–35 Dallas Construction of Bridges for Trinity River, Texas	5,000,000
I–35/Turkey Creek Reconstruction Project, Kansas	3,000,000
I–40 and Paseo del Volcan Interchange and Access Road to Double Eagle II, Albuquerque, New Mexico	2,075,000
I–44 & US 65 Interchange, Missouri	2,000,000
I–44 Fenton Industrial Corridor—Fenton, Missouri	250,000
I–44 Interchanges at SH–51 and US–169, Tulsa, Oklahoma	750,000
1–49 North to the Arkansas Line (Access Improvements to I–220 @ US 71/LA1 & LA 172), Louisiana	1,000,000
I–55–/US–49 Flyover Near Jackson, MS	5,000,000
I–64, Vanderburgh and Posey counties, Indiana	1,000,000
I–69/SR 304 (construction Odom Road to I–55), Mississippi	2,000,000
I–74 Reconstruction, Mississippi River Bridge Replacement, Scott County, Iowa	950,000
I–75 Exits 49 and 52, McMinn County, Tennessee	500,000
I–75 Improvements South West Florida	1,125,000
I–75, Rockcastle County, Kentucky	6,000,000
I–77/Shuffel Road interchange, Canton, Ohio	1,500,000
I–80 Truck Climbing Lane—Reno, Nevada	500,000
I–81—Exit 44 Interchange/PA 465 Imrpovemenets—Cumberland County, PA	250,000
I–81 Interchange, Syracuse, New York	1,500,000
I–84/Exit 17 at Routes 63 and 64, Middlebury/Waterbury, Connecticut	1,000,000
I–84/I–87 Interchange, New York	1,500,000
I–84/Route 2 East Hartford, operational improvements, Connecticut (fly-over access)	750,000
I–90 Joint Port of Entry Project, Wyoming	2,000,000
I–90 two-way transit operations, Washington	750,000
Interstate 40: Mississippi River Bridge Seismic Retrofit, Arkanasa	900,000
Interstate 5, Rush Road to Maytown widening, Washington	1,000,000
Interstate 5, Salem, Oregon (Boone Road Bridge replacement	800,000
Interstate Highway 30 in Texarkana from FM 989 (Kings Highway) in Bowie County, Texas, to the Arkansas state line (US71)	1,000,000
Interstate Highway 35 perpetual pavement testing section, LaSalle County, Texas	1,000,000
Interstate Highway 45 frontage road and ramp system improvements, Huntsville, Texas	1,000,000
Laval Road Interchange Upgrade at I–5, California	750,000
Louisville-Southern Indiana Ohio River Bridges Project, Kentucky	5,000,000
Marquette Interchange Reconstruction, Milwaukee, Wisconsin	4,500,000
New York State Thruway Authority, Westchester County, Bryam Bridge rehabilitation & pavement reconstruction, New York	1,000,000
Reconstruction of I–95/I–91/CT 34 Interchange, New Haven, Connecticut (Pearl Harbor Memorial Bridge—I–95 New Haven East Approach to Q-Bridge)	1,500,000
Rehabilitation of I–20, Erath, Palo, Pinto, and Parker counties, Texas	3,350,000
Right of way acquisition, Paterson, New Jersey interchange improvements	200,000
State Route 79/SR 3025 missing ramps, Jackson Township, Pennsylvania	500,000
SW First-NW Lake Road Project, Washington	3,000,000
US–12 Burbank to Walla Walla, Washington	2,500,000

BUREAU OF TRANSPORTATION STATISTICS

The conferees provide $31,000,000 for the Bureau of Transportation Statistics. Under the FHWA appropriations, the accompanying bill provides $31,000,000 for the Bureau of Transportation Statistics (BTS), the amount authorized in TEA–21. The conferees note that BTS has undergone significant increases in staffing since 1993, the year BTS was established. In fiscal year 1993, on-board positions totaled 5; in 2001, total staff stood at 101; and BTS estimates on-board staff to total 146 by the end of 2002. In fiscal year 2003, BTS requests a level of 157 full-time positions (FTP). The conferees are very concerned about these staff increases, particularly when the staffing level has exceeded the Administration's request to Congress. Therefore, the conference committee directs BTS to fill no more than 146 full-time positions, or if lower, the number of on-board positions upon enactment of this Act.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of $32,000,000,000 for the federal-aid highways program as proposed by Senate.

APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM

The conference agreement provides $188,000,000 for the Appalachian Development Highway System (ADHS) instead of $200,000,000 as proposed by the Senate and $100,000,000 as proposed by the House. Within the amount provided, $88,000,000 shall be allocated in accordance with the ADHS most recent cost-to-complete study and the remaining $100,000,000 shall be allocated as follows: $35,000,000 for Kentucky Corridors; $5,000,000 for Tennessee Corridor S; $8,000,000 for Tennessee Corridor K; $2,000,000 for Corridor V, Mississippi; $20,000,000 for West Virginia Corridors; and $30,000,000 for Alabama Corridor X.

FEDERAL-AID HIGHWAYS

(RESCISSIONS)

The conference agreement includes a rescission of $5,609,337 of funds in unobligated balances associated with completed projects contained in prior appropriations and authorizing Acts, as proposed by the House. In addition, $250,000,000 of contract authority balances from the five core programs are rescinded. These resources can not be obligated by the states as they were apportioned at levels over and above annual statutory obligation limitations. The conferees direct FHWA not to rescind the authority on a proportional basis by program and instead to administer the rescission by allowing each state maximum flexibility the five programs in making these adjustments.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

The conference agreement includes $117,464,000 for administrative expenses of the Federal Motor Carrier Safety Administration under the FMCSA limitation on administrative expenses account, as proposed by the Senate. Of the funds provided, $110,464,000 is for operating expenses and $7,000,000 is for research and technology initiatives. The following adjustments are made to the budget request:

FECA administrative costs	−$20,000
Hazardous materials safety and security	+500,000
Share the road safely	−100,000
Safety is good business program	−250,000
Research and technology information dissemination	−150,000
Undistributed reduction	−500,000

FECA administrative costs.—The conference agreement denies $20,000 for FECA administrative costs, as proposed by the House.

Share the road program.—Statistics for 1999 show that 78 percent of all fatal truck crashes are collisions between large trucks and other vehicles. Data from 1998 indicate that approximately 81 percent of all large truck and other vehicle fatal crashes are the result of action initiated by passenger vehicle drivers. The conferees believe that the share the road program needs to be retargeted and broader than its main campaign that focused on warning noncommercial drivers to avoid truck blind spots. The conferees provide $100,000 for FMCSA's share the road program and encourage the agency to coordinate its share the road efforts with NHTSA, as proposed by the Senate. Further, the conferees direct the General Accounting Office to evaluate the effectiveness of the share the road program, make recommendations to strengthen the program, and submit the study to the House and Senate Committees on Appropriations by July 15, 2003, as proposed by the House.

Commercial drivers license program.— The conference agreement retains language recommending that more work needs to be done to address deficiencies in the CDL program. As proposed by the House, within the funds provided for the CDL program, FMCSA should continue working with the American Association of Motor Vehicle Administrators, the Commercial Vehicle Safety Alliance, lead MCSAP agencies and licensing agencies to improve all aspects of the CDL program. In addition, FMCSA should consider sponsoring another pilot project involving law enforcement and driver licensing agencies to explore new and innovative ways to ensure that drivers who have been convicted of a disqualifying offense do not operate during the period of suspension or revocation. Finally, FMCSA should continue to support the judicial and prosecutorial outreach effort.

Furthermore, as proposed by the Senate, the conferees encourage FMCSA to adopt a

CDL-related standard that includes monitoring, consistent with OIG recommendations in the menu of oversight activities for state and third-party CDL examiners.

Untethered truck trailer tracking and security.—The conference agreement has provided $2,000,000 to leverage existing technology and develop an untethered trailer tracking and control system that will provide real-time trailer identification, location, geofensing, unscheduled movement notification, door sensors, and alarms, as proposed by the House.

Solid waste shippers.—The conferees direct the FMCSA to work with the Commonwealth of Virginia's MCSAP agency to conduct 3 one-day concentrated roadside inspection strike forces on interstate waste haulers. The results shall be compiled in a letter submitted to the House and Senate Committees on Appropriations by September 31, 2003.

Crash causation study.—The conference agreement includes language proposed by the Senate urging FMCSA to make available the preliminary results of the crash causation study as soon as a representative data set is analyzed and to submit a letter to the House and Senate Committees on Appropriations by May 15, 2003, indicating the study's progress, the response to and status of the Transportation Research Board's recommendations, and a time schedule for the release of the initial results. In addition, the conferees direct NHTSA to request that the Centers for Disease Control's National Center for Injury Prevention and Control evaluate the adequacy of the crash causation research design. CDC's evaluation is to be provided to the House and Senate Committees on Appropriations.

Hazardous materials transportation.—The conference agreement includes an additional $500,000 above the budget request for hazardous materials safety and security, as proposed by both the House and the Senate. The conferees urge FMCSA to enforce compliance with Federal hazardous materials regulations and to encourage states to use the motor carrier safety assistance program for hazardous materials safety and security research. In addition, the conferees recommend that FMCSA develop innovative strategies to minimize the risks of transporting hazardous materials.

''Safety is Good Business'' Program.—The conferees have deleted funding for the Safety is Good Business program from the Motor Carrier Safety Account, as proposed by the Senate. The conferees believe that this funding should come from FMCSA's high priority initiative program within the Motor Carrier Safety Assistance Program.

Younger driver pilot program.—The conference agreement includes language as proposed by the Senate directing the FMCSA administrator to conduct an analysis of the safety ramifications associated with the younger driver pilot program. The conferees include a provision, as proposed by the House, prohibiting the DOT from implementing a pilot program allowing commercial drivers 18 to 20 years of age to operate commercial motor vehicles in interstate commerce. This provision does not prohibit FMCSA from studying the younger driver pilot program; the prohibition only applies to the development or implementation of such a program.

Driver record improvements.—The conferees include language as proposed by the Senate regarding improvements to the issuance or renewal of a motor vehicle operator's license. The conferees direct NHTSA and FMCSA to conduct an analysis of the costs associated with the development of the one driver, one record pointer system and the steps necessary for implementation, and to report its findings to the House and Senate Committees on Appropriations by August 1, 2003.

Driver research.—Within the funds provided for research and technology, the conference agreement provides $700,000 for the Transportation Research Institute at the George Washington University Virginia campus, as proposed by the Senate. The conferees also provide $250,000 to initiate a separate multidisciplinary driver research program, as proposed by the Senate.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides a liquidating cash appropriation of $190,000,000 for the national motor carrier safety program as proposed by the House and the Senate.

(LIMITATION ON OBLIGATIONS)

The conference agreement includes a limitation on obligations of $190,000,000 for motor carrier safety grants as proposed by the House and the Senate.

Truck driver training program.—Within the funds provided for FMCSA's high priority initiative program, the conference agreement provides $700,000 for the development of a concrete skid pad at Lewis-Clark State College North Lewiston Training Facility.

Highway watch program.—The Senate proposed funding $1,000,000 for the continuation of the Highway Watch program. The conference agreement denies this funding.

Operation respond.—Also within funds provided for FMCSA's high priority initiative program, the conference agreement provides $1,000,000 to design, build and demonstrate the benefits of a hazardous materials incident detection, management, and response system, including the expansion of the Operation Respond network. The conferees urge that these funds be used to establish a national first responders emergency services network and to accelerate deployment of Operation Respond software.

BORDER ENFORCEMENT PROGRAM

(HIGHWAY TRUST FUND)

The conference agreement provides a total of $59,967,000 for the Border Enforcement program under the Federal Highway Administration's 104(a)(1)(A) administrative takedown, as proposed by the Senate. Within this amount, the conferees provide $41,967,000 for Federal border enforcement staffing and operations and $18,000,000 for state operations grants to the southern border states, as proposed by both the House and the Senate.

U.S. Southern border.—The conference agreement extends a provision from the fiscal year 2002 appropriations Act regarding the safety of cross-border trucking between the United States and Mexico. Further, the conferees direct the Secretary to report annually on the safety and security of the U.S. Southern border with regard to motor carrier transportation into the U.S. by Mexican-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

The conference agreement provides $138,288,000 from the general fund for highway and traffic safety activities instead of $131,433,000 as proposed by the House and $141,000,000 as proposed by the Senate. A total of $98,161,131 shall remain available until September 30, 2005 as proposed by the House and the Senate.

The agreement includes a provision carried since fiscal year 1996 that prohibits NHTSA from obligating or expending funds to plan, finalize, or implement any rulemakings that would add requirements pertaining to tire grading standards that are not related to safety performance. This provision was contained in both the House and Senate bills.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement provides $72,000,000 from the highway trust fund to carry out provisions of 23 U.S.C. 403 as proposed by both the House and the Senate.

The following table summarizes the conference agreement for operations and research (general fund and highway trust fund combined) by budget activity:

Salaries and benefits	$63,316,000
Travel	1,324,000
Operating expenses	22,834,000
Contract programs:	
Safety performance	10,393,000
Safety assurance	15,760,000
Highway safety programs	48,463,000
Research and analysis	60,691,000
General administration	657,000
Grant administration reimbursements	−11,150,000
Total	$212,288,000

FECA administrative costs.—The conference agreement deletes $12,000 proposed in the budget for FECA administrative costs. This action is consistent across all modal administrations.

Workforce planning and development activities.—The conference agreement provides a total of $300,000 for workforce planning and development activities as proposed by the Senate in its explanatory language delineated in the Congressional Record of January 15, 2003. This is a reduction of $115,000 from the budget request.

Contracting procedures.—The conferees urge NHTSA to review its contracting procedures and take appropriate steps to eliminate unnecessary delays. Too often, contract recipients have had to wait for several months before Federal funds are granted after a contract is awarded.

National occupant protection program.—The conference agreement provides $3,000,000 above the budget request to bolster the national occupant protection program. The additional funds shall be used to continue outreach activities to increase seat belt use by minority populations, teens, and rural populations.

Passenger vehicle tire traction.—The conferees encourage NHTSA to include standards for tire performance on wet road surfaces when the agency prepares its final rule on tire safety performance, as discussed in the Senate's explanatory statement. Absent such inclusion, NHTSA shall send a letter to the House and Senate Committees on Appropriations explaining why wet road tire performance standards were not included.

Ejection prevention measures.—NHTSA has identified both occupant ejection and upgraded roof crush resistance as ''near term'' regulatory priorities that the agency plans to undertake in 2003. Consistent with this proposal, the conferees support the adoption of measures to improve ejection prevention performance of motor vehicles no later than December 31, 2004, and recognize that the agency may need to develop new test procedures.

Early warning reporting system.—The conferees direct NHTSA to submit a report to the House and Senate Committees on Appropriations detailing the methods the agency will adopt to ensure that all tires imported and sold in the United States comply with the early warning report system, as outlined in NHTSA's final regulations. This report should be issued by July 1, 2003.

Defects information system.—The Inspector General raised concerns about whether the new defects information system can be successfully implemented on time and within

the estimated $5,000,000 budget. Since the issuance of this report, NHTSA has concurred with the IG's concerns. The conferees direct NHTSA to provide a letter to the House and Senate Committees on Appropriations that details the current schedule and cost estimate for this system, explain any cost increases, and indicate how these new costs will be paid for.

Impaired driving.—The conference agreement provides $4,000,000 above the budget request for the impaired driving program. Of this total: $1,000,000 shall be used for judicial and prosecutorial initiatives; $2,000,000 shall be used on the repeat offender tracking model; and $1,000,000 shall be used on target population outreach efforts.

Within the funding provided for judicial and prosecutorial outreach, NHTSA, in conjunction with the Attorney General, should identify and report on the best strategies for reducing obstacles to obtaining impaired driving convictions and strategies to help prosecutors and judges apply sanctions in a consistent manner. The report should also emphasize strategies to reduce plea bargaining, diversion, or deferral programs, and other means used by offenders to avoid any permanent record. This report must be submitted to the House and Senate Committees on Appropriations by October 1, 2003.

NHTSA shall detail to the House and Senate Committees on Appropriations, in letter format, the concept behind the repeat offender tracking model, the total cost to develop the model, the anticipated yearly costs to enact the model, and the schedule to develop and enact this program. NHTSA should develop this model with input from the states and the highway safety community.

As part of the impaired driving program, the conferees suggest that NHTSA evaluate point of sales training as proposed by the House.

Alcohol ignition interlock devices.—The conferees have not provided any funding for research to advance the alcohol ignition interlock devices proposed by the Senate.

Drugs, driving and youth.—The conference agreement funds the drugs, driving and youth program at the 2003 budget request as proposed by the House.

Motorcycles.—A total of $945,000 has been provided for motorcycle programs, an increase of $300,000 above the budget request. This additional funding shall be used for strategies to enhance motorcycle rider's crash avoidance skills and improve conspicuity. In addition, as directed by the House, $500,000 shall be used for demonstration projects related to motorcycle training.

Crash causation study.—The conferees have included $2,000,000 to update a 23–year-old crash causation study, as proposed by the House.

Highway safety data and traffic records.—The conference agreement does not provide funding for NHTSA to continue working with the states to improve highway safety data and traffic records, similar to activities funded previously under the section 411 grant program. The conferees understand the agency has carryover funding available for these efforts from other grant programs, such as section 410.

Emergency medical services head injury research.— A total of $2,189,000 has been provided for emergency medical services. Of this amount, $750,000 shall be used to continue training emergency medical service personnel in delivering prehospital care to patients with traumatic brain injuries.

Biomechanics.—The conference agreement provides a total of $14,950,000 for biomechanics research, $1,000,000 more than the budget request, to continue research of the CIREN program. Also, within the funds provided, $2,000,000 shall be used to continue research related to traumatic brain and spinal cord injuries at the Southern Consortium for Injury Biomechanics.

National Automotive Sampling System.—The conference agreement has provided $795,000 above the budget request so that NHTSA can expand the National Automotive Sampling System database with a particular focus on child safety seat and tire-related data, as proposed by the Senate.

Built-in child booster systems.—The conference agreement does not include funding, proposed by the Senate, to study the effectiveness of built-in child booster systems with other systems. The built-in technology is not advanced enough to warrant a study at this time.

Heavy vehicle research.—Within the funds provided for heavy vehicle research, $500,000 is for the National Transportation Research Center in Tennessee to continue to conduct broad-based laboratory-to-roadside research in heavy vehicle safety issues.

Pneumatic tire research.—The conference agreement includes $375,000 in the pneumatic tire program for Mercer Engineering Research Center, as proposed in the Senate's explanatory statement of January 15, 2003.

NATIONAL DRIVER REGISTER

(HIGHWAY TRUST FUND)

The conference agreement provides $2,000,000 for the National Driver Register as proposed by both the House and the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides $225,000,000 to liquidate contract authorizations for highway traffic safety grants, as proposed by both the House and the Senate.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

The conference agreement limits obligations for highway traffic safety grants to $225,000,000 as proposed by both the House and the Senate. The bill includes separate obligation limitations with the following funding allocations:

Highway safety programs ..	$165,000,000
Occupant protection incentive grants	$20,000,000
Alcohol incentive grants ...	$40,000,000

A total of $11,150,000 has been provided for administration of the grant programs as proposed by both the House and the Senate. Of this total, not more than $8,150,000 of the funds made available for section 402; not more than $1,000,000 of the funds made available for section 405; and not more than $2,000,000 of the funds made available for section 410 shall be available to NHTSA for administering highway safety grants under chapter 4 of title 23. This language is necessary to ensure that each grant program does not contribute more than five percent of the total administrative costs.

The conference agreement retains bill language, proposed by both the House and Senate, that limits technical assistance to states from section 410 to $500,000.

The conference agreement prohibits the use of funds for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for state, local, or private buildings or structures, as proposed by both the House and the Senate.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

The conference agreement provides $117,363,000 for safety and operations as proposed by the House instead of $118,264,000 as proposed by the Senate. Within this total, the conferees have funded four new positions. The conference agreement includes language that permits $6,636,000 of the total funding to remain available until expended as proposed by both the House and the Senate.

FECA administrative costs.—The conference agreement deletes $65,000 proposed in the budget for FECA administrative costs. This action is consistent across all modal administrations.

Study on grade crossings.—As directed by the Senate in its explanatory statement in the Congressional Record of January 15, 2003, the Secretary of Transportation shall submit with the fiscal year 2005 budget request an action plan outlining specific efforts to be pursued by FRA, FHWA, FMCSA, NHTSA, and the ITS Joint Program Office to improve safety at both public and private grade crossings.

Positive train control.—The conferees direct FRA to submit an updated economic analysis of the costs and benefits of positive train control and related systems that takes into account advances in technology and system savings to carriers and shippers as well as other cost savings related to prioritized deployment of these systems, as proposed by the Senate. This analysis must be submitted as a letter report to the House and Senate Committees on Appropriations by October 1, 2003.

Safety assurance and compliance program (SACP).—By April 1, 2003, FRA must provide a status report on the utilization of the safety assurance and compliance program, which summarizes the SACP activities in fiscal year 2002 and the agency's audit plans for fiscal year 2003 as proposed by the Senate.

Railroad threat assessment.—The conferees are concerned over the targeting of railroad facilities, structures, terminals and operations posed by terrorist entities and urge the FRA to work with the new Department of Homeland Security and the Association of American Railroads to develop a comprehensive assessment of the threats and vulnerabilities nationwide, and identify ways to enhance passenger safety and infrastructure protection.

RAILROAD RESEARCH AND DEVELOPMENT

The conference agreement provides $29,325,000 for railroad research and development as proposed by the Senate instead of $27,325,000 as proposed by the House. None of this funding is to be offset from user fees.

Integrated railway remote information service.—The conference agreement does not provide any funding for the integrated railway remote information service proposed by the Senate. Last year funding was provided for this program; however, FRA was directed to evaluate this initiative before additional funding was provided. To date, no evaluation has been conducted.

Marshall University/University of Nebraska.—The conference agreement includes $1,400,000 to support Marshall University and the University of Nebraska to conduct safety studies in any of the following areas: track and structures, human factors, equipment, train control, grade crossing and digital communications.

Transportation Technology Center.—The conference agreement provides a total of $675,000 for site improvements at the Transportation Technology Center, as proposed by the House.

Freight congestion study.—The conferees direct FRA to work with the Chicago Transportation Coordination Office and communities in the Chicago region consistent with the Senate's explanatory statement of January 15, 2003. Reports must be submitted quarterly to the House and Senate Committees on Appropriations.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The conference agreement includes a provision, proposed by both the House and the Senate, specifying that no new direct loans or loan guarantee commitments shall be made using federal funds for the payment of any credit premium amounts during fiscal year 2003. No federal appropriation is required since a non-federal infrastructure partner may contribute the subsidy amount required by the Credit Reform Act of 1990 in the form of a credit risk premium. Once received, statutorily established investigation charges are immediately available for appraisals and necessary determinations and findings.

The conference agreement includes a further provision mandating that no payment of principal or interest shall be collected during fiscal year 2003 for the direct loan made to the National Railroad Passenger Corporation.

NEXT GENERATION HIGH-SPEED RAIL

The conference agreement provides $30,450,000 for the next generation high-speed rail program as proposed by the House instead of $30,000,000 as proposed by the Senate. The following table summarizes the conference agreement by budgetary activity:

Train control systems	$6,500,000
Non-electric locomotives	9,300,000
ALPS	(1,800,000)
Prototype locomotive	(3,000,000)
Diesel multiple units compliance and demonstration	(4,000,000)
Grade crossings and innovative technologies:	3,250,000
N.C. sealed corridor	(500,000)
Illinois rail grade crossing safety program	(500,000)
State of Vermont hazard elimination	(250,000)
Mitigating hazards and low-cost technologies	(2,000,000)
Track and structures	1,000,000
Corridor planning activities	5,900,000
California corridor	(1,250,000)
Gulf Coast corridor	(800,000)
Southeast corridor	(500,000)
Florida corridor	(2,150,000)
Seattle to Everett corridor	(750,000)
Las Vegas to Los Angeles high-speed rail study	(200,000)
Northern New England corridor, VT	(250,000)
Magnetic levitation	4,500,000
Washington-Baltimore	(500,000)
Nevada-California	(1,500,000)
Greensburg-Pittsburgh	(2,000,000)
Southern California	(500,000)
TOTAL	$30,450,000

Diesel multiple units.—The conference agreement provides $4,000,000 to validate the compliance of diesel multiple units with existing passenger car safety standards and to make a grant to a public body for the purpose of initiating a demonstration in daily revenue service of a compliant DMU during calendar years 2003 and 2004. Federal funding shall only be made available if funds are matched on a dollar-for-dollar basis from non-federal sources and shall only be used for activities related to establishing the compliance of the DMU design with passenger safety standards and for the acquisition of DMUs (through a conventional competitive procurement process) and service facilities necessary for revenue service demonstration. All other expenses, including the cost of passenger facilities and any net operating expenses are not eligible for funding under this appropriation.

State of California.—Funds made available for high-speed rail in California should supplement, not replace, state funding for this same program.

Rail-highway crossing hazard eliminations.—Under section 1103 of TEA21, an automatic set-aside of $5,250,000 is made available each year for the elimination of rail-highway crossing hazards. A limited number of rail corridors are eligible for these funds. Of these set-aside funds, the following allocations are made:

	Conference
High-speed rail corridor between Mobile, AL and New Orleans, LA	$1,800,000
Pacific Northwest high-speed rail corridor	1,000,000
High-speed rail corridor between New York City and Albany, NY	850,000
High-speed rail corridor in South Carolina	500,000
High-speed rail corridor between Milwaukee and La-Crosse, WI	450,000
High-speed rail corridor between Staples Mill Station and Main Street Station in Richmond, VA	200,000
High-speed rail corridor between Minneapolis/St. Paul, MN and Chicago, IL (TEA21)	250,000
High-speed rail corridor between Chicago, IL and St. Louis, MO	200,000

ALASKA RAILROAD REHABILITATION

The conference agreement provides $22,000,000 for the Alaska Railroad instead of $25,000,000 as proposed by the Senate. The House bill contained no similar appropriation.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

The conference agreement provides $1,050,000,000 for grants to the National ailroad Passenger Corporation (Amtrak) instead of $762,476,000 as proposed by the House and $1,200,000,000 as proposed by the Senate. Within these funds: $522,000,000 shall be for operating expenses; $295,000,000 shall be for capital expenses along the Northeast Corridor Mainline; and $233,000,000 shall be for general capital improvements. Funding is provided to the Secretary of Transportation, who shall allocate these funds quarterly through the grant making process. Funding is available until September 30, 2003.

The Secretary of Transportation shall approve funding to cover operating losses on a long distance train of the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific train route. Each request must be accompanied by detailed financial analysis and revenue projections justifying federal support. Language, proposed by the House, that limited operating expenses of long distance trains to $150,000,000, has been deleted.

The Secretary of Transportation and Amtrak's Board of Directors shall ensure that sufficient funds are reserved to satisfy the Railroad's contractual obligations with commuter and intercity passenger rail service.

The conference agreement slightly modifies a number of reporting requirements proposed by the House. These requirements include directing Amtrak to transmit to the House and Senate Committees on Appropriations and the Secretary of Transportation capital and operating plans, which must be used as the base for expenditures in 2003. Funding may not be spent on projects not included on the business plan. Beginning on June 1, 2003, Amtrak shall submit supplemental reports regarding the changes to the business plan and a justification for such changes.

The conferees recognize that Amtrak has the authority to transfer capital funds for operating expenses, such as progressive overhauls, preventive maintenance, and maintenance of way activities. This permission was granted in 1999. However, the conferees expect that the Secretary of Transportation shall notify the House and Senate Committees on Appropriations of any such transfer of capital funds to eligible operating expenses over and above those stipulated in the original business plan.

As proposed by the House, the Secretary is prohibited from obligating or expending any funds until Amtrak agrees to continue abiding by certain direct loan provisions as agreed to on June 28, 2002. Included in these provisions is a requirement for Amtrak to identify $100,000,000 in cost savings options.

Accuracy of financial information.—The Secretary of Transportation must vouch for the accuracy of financial information that Amtrak provides to Congress. This must be in the form of a signed letter that would accompany the operating and capital plans. In doing so, the Secretary must certify in writing, that based on his knowledge, the financial statements and other financial information prepared by Amtrak for Congress fairly presents in all material respects the financial condition of the Corporation. Specific requirements are discussed in the House report.

Reprogramming guidelines.—As detailed in the House report, Amtrak must abide by the Department's reprogramming guidelines. However, the conferees are willing to provide Amtrak flexibility for increases and decreases in their operating and capital plans of under $10,000,000 without submitting a reprogramming request.

Short distance trains.—Amtrak shall establish a more uniform methodology for cost sharing on short distance routes. To do so, Amtrak should analyze current state funding for operating expenses and capital improvements, review the contractual terms under which this funding is provided, and consult with states served by these routes to establish new cost sharing procedures and increase state support on these routes. Amtrak shall report to the House and Senate Committees on Appropriations on the status of these efforts by April 1, 2003.

Cost of long distance trains.—The conferees direct Amtrak to report on the measures it undertakes, beginning in fiscal year 2003, to reduce the financial burden of long distance trains on the federal treasury. This report should include specific estimates of cost savings to be achieved in 2003 and over a five-year period. This report is due to the House and Senate Committees on Appropriations no later than April 1, 2003.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

The conference agreement provides $73,000,000 for administrative expenses of the Federal Transit Administration as proposed by both the House and the Senate. Within the total, the conference agreement appropriates $14,600,000 from the general fund.

The conference agreement includes a provision, contained in both bills, that would reimburse the Department of Transportation's Inspector General $2,000,000 for costs associated with audits and investigations of transit-related issues. The conference agreement also includes a provision that limits the amount of funding available for the National transit database to $2,600,000.

Full-time equivalent staff.—The conference agreement approves the budget request for 12 new staff; however, funding has

been reduced for these positions by $549,000. The reduction reflects half-year funding for these new positions, which is consistent with hiring practices in other modes and by FTA last year.

FECA administrative costs.—The conference agreement deletes $15,000 proposed in the budget for FECA administrative costs. This action is consistent across all modal administrations.

Project and financial management oversight activities.—The conferees direct that savings from funding new staff positions at a half-year level and the denial of FECA administrative costs should be used to increase funding for project and financial management oversight activities (+$564,000). The conferees further direct that the FTA submit to the House and Senate Committees on Appropriations, the Inspector General and the General Accounting Office the quarterly FMO and PMO reports for each project with a full funding grant agreement.

Full funding grant agreements (FFGAs).—TEA21, as amended, requires that the FTA notify the House and Senate Committees on Appropriations as well as the House Committee on Transportation and Infrastructure and the Senate Committee on Banking 60 days before executing a full funding grant agreement. In its notification to the House and Senate Committees on Appropriations, the conferees direct the FTA to include therein the following: (a) a copy of the proposed full funding grant agreement; (b) the total and annual federal appropriations required for that project; (c) yearly and total federal appropriations that can be reasonably planned or anticipated for future FFGAs for each fiscal year through 2004; (d) a detailed analysis of annual commitments for current and anticipated FFGAs against the program authorization; and (e) a financial analysis of the project's cost and sponsor's ability to finance, which shall be conducted by an independent examiner and shall include an assessment of the capital cost estimate and the finance plan; the source and security of all public- and private-sector financial instruments, the project's operating plan which enumerates the project's future revenue and ridership forecasts, and planned contingencies and risks associated with the project.

The conferees also direct the FTA to inform the House and Senate Committees on Appropriations before approving scope changes in any full funding grant agreement. Correspondence relating to scope changes shall include any budget revisions or program changes that materially alter the project as originally stipulated in the full funding grant agreement, and shall include any proposed change in rail car procurements.

FORMULA GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides a total program level of $3,839,000,000 for transit formula grants, as proposed by both the House and the Senate. Within this total, the conference agreement appropriates $767,800,000 from the general fund. The general fund appropriation shall be available until expended.

The conference agreement provides that funding made available under the clean fuels formula grant program under this heading shall be transferred to and merged with funding provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities under ''Federal Transit Administration, Capital investment grants''.

Distribution of formula funding.—Within the total funding level, the conferees anticipate that formula grants will be distributed as follows:

Urbanized area formula (sec. 5307)	$3,428,709,908
Elderly and individuals with disabilities (sec. 5310)	90,652,801
Nonurbanized area formula (sec. 5311)	239,404,605
Clean fuels programs (sec. 5308)	50,000,000
Alaska Railroad[1]	4,850,000
Over-the-road bus accessibility	6,950,000
Oversight	18,432,736

[1] Includes $24,300 for oversight activities.

Within the funding provided for the over-the-road bus accessibility program: $5,250,000 for intercity fixed route projects and the remainder is to be made available for other services, such as local fixed route service, commuter service and charter service.

Salaries and benefits.—No funds herein appropriated may be used by the New York Metropolitan Transit Authority, any affiliated agency or entity to pay either salary, benefits, or expenses to the elected or appointed officers of the Association of Commuter Rail Employees.

UNIVERSITY TRANSPORTATION RESEARCH

The conference agreement provides a total of $6,000,000 for the university transportation research program as proposed by both the House and the Senate. Of this amount, $1,200,000 is from the general fund and shall be available until expended.

TRANSIT PLANNING AND RESEARCH

The conference agreement provides a total of $122,000,000 for transit planning and research, as proposed by both the House and the Senate. Within the total, the conference agreement appropriates $24,200,000 from the general fund. The general fund appropriation shall be available until expended.

Within the funds appropriated for transit planning and research, $5,250,000 is provided for rural transportation assistance; $4,000,000 is provided for the National Transit Institute; $8,250,000 is provided for the transit cooperative research program; $60,385,600 is provided for metropolitan planning; $12,614,400 is provided for state planning; and $31,500,000 is provided for the national planning and research program.

National planning and research.—Within the funding provided for national planning and research, the Federal Transit Administration shall make available the following amounts for the programs and activities listed below:

Project Action (TEA–21)	$3,000,000
Calstart/Westart bus rapid transit	1,000,000
Clean mobility and transit enhancements	2,000,000
Electric Transit Vehicle Institute, TN	500,000
University of South Florida for urban transit research	250,000
Santa Barbara Electric Transit Institute, CA	425,000
Hennepin County community transportation, MN	1,000,000
Joblinks/Community Transportation Association	500,000
North Dakota transit center	400,000
PVTA electric bus project MA	750,000
Auburn University campus transit system, AL	375,000
Center for Composites Manufacturing, AL	900,000
Detroit airport rail project, MI	200,000
Detroit area regional transportation authority studies, MI	350,000
National bio-terrorism civilian medical response center, PA	750,000
Rich Passage passenger ferry project, WA	800,000
Rockford-Belvidere transit feasibility study, IL	200,000
Transit usage, home interview survey study, UT	300,000
Washington state ferries wireless connection project, WA	800,000
WVU exhaust emissions testing, WV	1,000,000
Zinc-air zero emission bus, NV	750,000
National deployment of ITN America, ME	300,000

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

The conference agreement provides $5,781,000,000 in liquidating cash for the trust fund share of transit expenses as proposed by both the House and the Senate.

CAPITAL INVESTMENT GRANTS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides a total program level of $3,036,000,000 to remain available until expended for capital investment grants as proposed by the House and the Senate. Within the total, the conference agreement appropriates $607,200,000 from the general fund as proposed by both the House and the Senate.

Within the total program level, $1,214,400,000 is provided for fixed guideway modernization; $607,200,000 is provided for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities; and $1,214,400,000 is provided for new fixed guideway systems.

In addition to the $607,200,000 for buses, the conference agreement transfers $50,000,000 from formula funds to capital investment grants for the replacement, rehabilitation, and purchase of buses and related equipment and for the construction of bus-related facilities, as proposed by the House. The Senate also proposed the transfer of $50,000,000; however, the bill language was slightly different.

In the new fixed guideway program, the conference agreement supplements the $1,214,400,000 provided in this Act by transferring $45,000,000 from the job access and reverse commute grant program to the capital investment grant program. The Senate proposed a transfer of $25,000,000 whereas the House had no similar bill language. In addition, the conference agreement transfers all in unobligated 1999 job access and reverse commute program funds to capital investment grants and makes this funding available for new fixed guideway systems.

Three year availability of section 5309 discretionary funds.—The conferees direct the FTA to reprogram funds from recoveries and previous appropriations that remain available after three years and are available for reallocation to only those new starts that have full funding grant agreements in place on the date of enactment of this Act, and with respect to bus and bus facilities, only to those bus and bus facilities projects identified in the accompanying reports of the fiscal year 2003 Department of Transportation and Related Agencies Appropriations Act. The FTA shall notify the House and Senate Committees on Appropriations 15 days prior to any such proposed reallocation. The conferees, however, direct the FTA not to reallocate funds provided in the 1998, 1999, and

2000 Department of Transportation and Related Agencies Appropriations Acts for the following projects:

Washington County intermodal facilities, buses, and bus facilities, 2000

Foothills Transit, California buses and HEV vehicles, 2000

Chatham, Georgia area transit buses and transfer center, 2000

Fair Lakes league, Virginia, 2000

Dulles Corridor, Virginia park-and-ride express bus program, 2000

Fayette County, Pennsylvania intermodal parking facility, 2000

Swampscott, Massachusetts buses, 2000

Ithaca, New York intermodal transportation center, 2000

Wilkes Barre, Pennsylvania intermodal facility, 1998, 1999, 2000

Dulles, Virginia corridor project, 2000

Kenosha-Racine-Milwaukee, Wisconsin rail extension project, 2000

Roaring Fork Valley, Colorado project, 2000

Twin Cities, Minnesota, Transitways project, 2000

Altamount, California commuter rail project, 2000

Santa Fe/El Dorado, New Mexico rail link project

Albuquerque, New Mexico light rail project

Tuscaloosa, Alabama intermodal center

Northern New Mexico park and ride facilities

State of New Mexico buses and bus-related facilities

Birmingham, Alabama transit corridor project

Harrisburg, Pennsylvania Capital Area Transit/Corridor One commuter rail project

Charleston, South Carolina monobeam corridor project

King County, Washington park and ride expansion

Sequim, Washington-Clallam Transit multimodal center

Birmingham-Jefferson County, Alabama buses

Roaring Fork Transportation Authority, Colorado

Dothan Wiregrass, Alabama vehicles and transit facility

Jefferson/Montevallo, Alabama pedestrian walkway

Montgomery, Alabama Union Station intermodal center

Pritchard, Alabama bus transfer center

West Virginia statewide intermodal facility and buses

Port Mackenzie/Upper Cook Inlet intermodal facility

The conferees agree that when the Congress extends the availability of funds that remain unobligated after three years and would otherwise be available for reallocation at the discretion of the administrator, such funds are extended only for one additional year, absent further congressional direction.

Bus and bus facilities.—The conference agreement provides $607,200,000, together with $50,000,000 transferred from ''Federal Transit Administration, formula grants'' and merged with funding under this heading, for the replacement, rehabilitation and purchase of buses and related equipment and the construction of bus-related facilities. No funding in this Act is made available to carry out the clean fuels program. In addition, funds made available for bus and bus facilities are to be supplemented with $4,567,156 from the following projects included in previous appropriations Acts:

Essex Junction, Vermont multimodal station	$490,547
Towamencin Township, Pennsylvania intermodal center (1999)	1,488,750
Towamencin Township, Pennsylvania intermodal center (2000)	1,471,643
Folsom, California multimodal facility	992,500
Georgetown University fuel cell program	123,716

Funds provided for buses and bus facilities are distributed as follows:

Project Name	*Conference total*
Alabama:	
Alabama A&M University bus & bus facilities	$500,000
Alabama State Docks Intermodal Facility	8,000,000
Alabama Statewide Replacement of Senior Center Vans	1,000,000
Bevill State Community College Transit Project	300,000
Cullman County Commission (CARTS)	150,000
Hoover & Vestavia Hills Diesel Hybrid Electric Buses	1,000,000
Hunstville Intermodal Center	3,000,000
Jefferson County, Diesel Hybrid Electric buses	750,000
Martime Center of the Gulf	4,000,000
Troy State University Bus Shuttle Program	1,500,000
Union Station/Molton Street Multimodal Facility, Montgomery	5,000,000
University of North Alabama Transit Projects	2,000,000
Alaska:	
Anchorage Int'l Airport Intermodal Facility	2,000,000
Anchorage ship creek intermodal facility (AK)	4,000,000
Coffman-Cove Inner-island Ferry/Bus Terminal	2,000,000
Fairbanks Intermodal Facility	250,000
Fairbanks Rail/Bus Transfer	2,000,000
Port Mackenzie Intermodal Facility	2,000,000
Port of Anchorage Intermodel Facility	3,000,000
Seward Buses & Bus Facility	200,000
Skagway Municipal and Regional Transit	350,000
Wasilla Intermodal Facility	900,000
Arizona:	
City of Phoenix (RPTA) replacement buses	3,835,000
Coconino County Buses	1,000,000
RPTA Bus Facilities (Mesa, Scottsdale, Tempe, Phoenix)	4,200,000
Sun Tran Replacement Buses, including alternatively fueled	1,000,000
Sun Tran Bus Storage & Maintenance Facility	1,750,000
Tucson Intermodal Center (Union Pacific Depot)	4,000,000
Arkansas:	
Fort Smith Bus	750,000
State of Arkansas Bus & Bus Facilities	4,500,000
California:	
Alameda Contra Costa Transit—Bus and Bus Facilities	1,050,000
Anaheim Resort Transportation (ART) Project	500,000
Antelope Valley Transit Authority—Operations and Maintenance Facility	500,000
BART Fruitvale Transit Village, parking structure	250,000
Chino, Transcenter, Omnitrans	330,000
City of Salinas—Intermodal Transportation Center	1,250,000
City of Sierra Madre Buses and Natural Gas Vehicle Fueling Station	300,000
East County Bus Maintenance Facility	1,600,000
El Garces Intermodal Station	1,500,000
Fairfield/Suisun Transit Alternative Fueled Buses	500,000
Folsom Railroad Block Project	1,000,000
Foothill Transit—Bus Purchase	1,500,000
Fresno Area Express (FAX) Bus Expansion	600,000
Golden Empire Transit District	750,000
Los Angeles (MTA) Bus and Bus Facilities	3,500,000
Los Angeles to Pasadena Construction Authority Bus Program	3,000,000
Modesto, Bus Maintenance Facility	1,700,000
Monterey-Salinas Transit Bus Facility & Buses	2,400,000
MUNI Bus & Facility Upgrade, San Francisco	5,000,000
Municipal Transit Operators Coalition—Bus and Bus Facilities	1,750,000
Omnitrans, City of Yucaipa—the Yucaipa Transit Advancement Project	950,000
Palmdale intermodal facility	1,000,000
Redondo Beach, Bus Transfer Station	500,000
Riverside Transit Agency (RTA) Transit Centers—Corona, Riverside	1,000,000
Roseville Multitransit Center	1,500,000
Sacramento Hydrogen Bus Technology (University of California at Davis)	600,000
Sacramento Regional CNG Bus & Bus Facility	1,250,000
San Diego Bus Rapid Transit	500,000
San Fernando Valley East and Ventura Boulevard, Park and ride facilities	500,000
San Mateo County Transit District (SamTrans) Zero-Emission Buses	1,385,000
Santa Barbara Metropolitan Transit District (MTD) Hybrid Bus BRT Project	750,000
Santa Clara Valley Transportation Authority Clean Fuel Bus Program	1,500,000
Solano Transportation Authority—Fairfield/Vacaville Intermodal Station	500,000

Project Name	Conference total
Sonoma County CNG Fueling Facility Upgrade	500,000
South Pasadena Circulator Bus	150,000
Sun Line Transit Hydrogen Refueling Station	1,250,000
Yolubus and Unitrans CNG Buses	1,300,000
Yosemite (YARTS)	400,000
Colorado:	
Colorado Transit Coalition—Statewide Bus and Bus Facilities	12,000,000
Connecticut:	
Bridgeport High Speed Ferry Terminal Project	1,000,000
Connecticut State-wide Buses	1,000,000
Hartford Downtown Circulator	1,500,000
Hartford-New Britain Busway Project	7,500,000
Hollyhock Station/Intermodal Transportation Center, Norwich	2,650,000
New Haven, Bus Maintenance Facility	1,000,000
New Haven, Fuel Cell and Electric Bus Project	1,000,000
West Haven Intermodal	1,000,000
Delaware:	
Delaware Transit Corporation	3,000,000
District of Columbia:	
Georgetown University Fuel Cell Transit Bus Program	4,850,000
WMATA—Buses in D.C., Maryland, and Virginia	2,000,000
Florida:	
Broward County Buses and Bus Facility	200,000
Collier Area Transit, Transit Facility	750,000
DeLand Intermodal Center (VOTRAN)	1,750,000
East Central Florida Transit Coalition Bus and Facilities	6,000,000
Ft. Lauderdale, Transit Shuttle Vehicles	1,500,000
Gainesville, Multimodal Transportation Center	1,000,000
Hillsborough Area Regional Transit (HART)	500,000
Jacksonville Transit Authority (JTA)—Buses	1,250,000
Key West Buses and Bus Facilities	1,000,000
Lakeland, Citrus Connection	500,000
Lee County, Bus Facility	750,000
LYNX buses, bus facilities, and passenger amenities	750,000
Miami Beach Intermodal Transit Center	1,500,000
Miami-Dade Buses	3,000,000
Pinellas County Bus Replacement	4,200,000
SunTran Transit Maintenance Facility—City of Ocala	800,000
Tallahassee (TALTRAN) buses	1,250,000
Tallahassee (TALTRAN) Intermodal Center	500,000
West Coast Florida Bus Coalition	8,000,000
West Palm Beach, Trolley Buses	1,250,000
Winter Haven Transit Terminal	500,000
Georgia:	
Atlanta, Multimodal Terminal	2,000,000
Chatham Area Transit	2,700,000
Georgia Regional Transportation Authority—Regional Express Bus and Facilities	4,436,000
Georgia Statewide Bus Replacement Program	1,500,000
Gwinnett County Operations & Maintenance Facility	1,500,000
Macon Intermodal Center	2,000,000
MARTA buses, clean fuel buses and facilities	2,500,000
Hawaii:	
BRT Systems, Appurenances & Facilities	8,000,000
Bus Transit Centers—Waianae, Mililani, Wahiawa	750,000
Hawaii Statewide Bus and Bus Facilities	5,000,000
Maui County Buses	1,100,000
Idaho:	
Idaho Transit Coalition Bus and Bus Facilities	2,500,000
Illinois:	
Illinois Statewide Buses and Facilities	12,200,000
Normal Multi-modal Facility	750,000
Indiana:	
Cherry Street Multimodal Facility	500,000
Fort Wayne Public Transportation Corporation (Fort Wayne Citilink)	600,000
Indiana Transit Consortium—Bloominton Public Transportation	500,000
Indianapolis Downtown Transit Facility	4,500,000
Wabash Landing Transit Bus and Bus Facility	250,000
Iowa:	
Cedar Falls Multimodal Facility	1,100,000
Des Moines MTA Bus Purchase	800,000
Iowa City Intermodal Transit Facility	6,000,000
State of Iowa, Buses, Facilities, Equipment	6,500,000
Kansas:	
City of Wichita, Mini-Transfer Station	400,000
Johnson County Transit Programs	500,000
Kansas City Area Transportation Authority (KCATA)	250,000
Kansas, Buses and Bus Facilities	3,000,000
Lawrence Transit System Transfer Center	500,000
Topeka Transit Buses	1,500,000
Unified Government Transit Bus Replacement—Wyandotte County/Kansas City	350,000
Wichita Transit Authority	1,200,000
Kentucky:	
Fulton County Transit Authority R V Cutaways	180,000
Henderson Area Rapid Transit Bus	96,000
Henderson County Facility	500,000
KY Statewide, Bus and Bus Facilities	7,500,000
KY Transportation Cabinet—Community Action groups	1,425,000
Laurel County intermodal facility	5,000,000
Paducah Area Transit Authority Buses	480,000
Pennyrile Allied Community Services Transit Facility	372,000
Pikesville parking and transit facility enhancements	1,000,000
Red Cross Wheels	2,000,000
Transit Authority of Northern Kentucky (TANK)	1,500,000
Transit Authority of River City	2,000,000
Louisiana:	
LA Public Transit Association, Buses and Bus Facilities	10,000,000
LSU Health Sciences Center Shreveport Intermodal Facility	250,000
St. Bernard intermodal facility	500,000
Maine:	
Maine Statewide Bus & Bus Facility	1,000,000
Oceangateway Development Project	500,000
Westbrook, Intermodal Facility	1,000,000
Maryland:	
Maryland Statewide Bus and Bus Facilities	8,000,000
Montgomery County FDA Transit Center	250,000
Massachusetts:	
Attleboro Intermodal Mixed—Use Garage Facility	750,000
Brockton Area Transit, Intermodal Transportation Center	1,000,000
Cape Ann Transit Authority, buses and trolleys	150,000
Cape Cod Intermodal Facilities (Cape & Island Transit Ctrs)	300,000
Cities of Beverly and Salem, Intermodal Facility Improvements	250,000
CTS Northern Tier Buses—MA	300,000
Essex County, City of Lynn, MA, buses and senior citizen vans	140,000
Essex County, City of Peabody, MA, buses	48,000
Essex County, Town of Danvers, MA, buses and senior citizen vans	66,000
Lowell-Gallagher Intermodal Facility	1,000,000
Merrimack Valley Regional Transit Authority (MVTRA), facility improvements	250,000
Montachusett Area Regional Transit (MART) Commuter Park and Ride Facility—Leominster	750,000
Montachusett Area Regional Transit (MART) Passenger and Handicap Vans	425,000
Montachusett Commuter Facilities in Fitchburg	1,600,000
Northern Tier Intermodal Center—Athol	300,000
Springfield Union Station Intermodal Redevelopment Project	6,000,000
Worcester Regional Transit Authority (WRTA) Maintenance Facility	200,000

Project Name	Conference total
Michigan:	
Ann Arbor Transportation Authority Bus & Bus Facilities	250,000
Battle Creek	300,000
Bay Area Transportation Authority Buses, Traverse City	500,000
Blue Water Area Transportation	1,000,000
Branch County Transit Authority	300,000
City of Alma, intermodal facility and buses	775,000
Detroit Department of Transportation Transit Facility	5,150,000
Flint Mass Transportation Authority bus and bus facilities	2,000,000
Grand Rapids, bus and bus facilities	500,000
Ionia Area Transportation Authority Dial-a-Ride	304,000
Jackson Transportation Authority, Bus Maintenance Facility	500,000
Kalamazoo Metro Transit—Transfer Center	2,900,000
Lansing, Capital Area Transit Authority	1,000,000
Livingston Essential Transportation Service	220,000
Ludington Mass Transportation Authority (LMTA) Transit Facility	525,000
Marquette County Transit Authority bus and bus facilities	2,000,000
Michigan Statewide Bus and Facilities	1,000,000
Milan Public Transit	180,000
Saginaw Transit Authority Regional Service buses	500,000
Suburban Mobility Authority for Regional Transit (SMART)	3,500,000
Washtenaw County, Chelsa Area Transportation System (CATS)	264,000
Yates Township Transit System	450,000
Minnesota:	
Dakota County, Cedar Avenue Project	1,000,000
Duluth Transit Authority Bus and Bus Facilities	500,000
Greater Minnesota Transit Authority Bus & Bus Facilities	2,000,000
La Crescent—Public Transfer Hub	60,000
Metro Transit	11,585,000
Metropolitan Light Rail Transit Joint Powers Board—Rush Line Corridor	500,000
Minneapolis downtown circulator	2,000,000
Minneapolis, 63rd Ave N. Park and Ride	1,000,000
Northwest Corridor Busway	2,500,000
Rochester—Bus Purchase	507,000
St. Cloud Metropolitan Transit Commission Facilities	500,000
STEELE—Bus Purchase	48,000
Two Harbors Bus and Bus Facilities	200,000
Mississippi:	
Brookhaven, Multimodal Center	2,000,000
Harrison County multimodal facilities and shuttle service	500,000
Hattiesburg Intermodal Facility	750,000
Missouri:	
Bi-State Development Agency Bus Replacement	3,000,000
Ferguson Van Replacement	45,000
Hazelwood Van Expansion	80,000
Houston buses	100,000
Jefferson City Transit Bus and Van	500,000
Kansas City KCATA Buses	200,000
Missouri Bus & Bus Facilities—Dunklin County, City of Houston, Southeast Missouri Transportation Service, Scott County, SE Missouri State University	2,250,000
Missouri Statewide Bus and Bus Facility Projects	5,500,000
OATS Bus and Bus Facilities	1,500,000
Southeast Missouri Trans. Services Bus and Bus Facilities	500,000
Southwest Missouri State University Intermodal Transfer Facility	3,000,000
Springfield Public Utilities Buses	1,300,000
St. Charles Buses and Equipment	245,000
St. Joseph Buses	1,000,000
Stoddard County Van	30,000
Montana:	
Billings bus and bus facilities	1,000,000
District IX—Bozeman Galavan	250,000
Mountain Line Buses Missoula	500,000
Nebraska:	
Metro Area Transit—Intermodal Facility	1,000,000
Metro Area Transit South Omaha/Stockyard Center	750,000
Nebraska Statewide	750,000
Nevada:	
Bus Rapid Transit on South Virginia Street—Reno	2,450,000
Bus Rapid Transit Project Las Vegas Blvd	5,000,000
Las Vegas Downtown Transportation Center	2,250,000
Regional Transportation Commission (RTC) BRT—North Las Vegas CIVIS Bus Stops	325,000
Reno and Sparks Bus and Bus Facilities	2,700,000
Rural Transit Buses & Facilities	750,000
New Hampshire:	
New Hampshire Statewide Bus Acquisition	750,000
New Jersey:	
Bergen County Intermodal Facilities and Park-n-Ride	2,250,000
Central New Jersey Raritan Valley Line Park-n-Ride	1,000,000
Gloucester Co Sr. Buses	200,000
Harrison New Jersey PATH Station Rehabilitation	250,000
Montclair Community Wide Bus System	1,000,000
Morris County, Intermodal Park-n-Rides Facilities	1,500,000
Newark Penn Station Intermodal Access Enhancements	2,000,000
Route 80 Howard Boulevard NJ Transit Park and Ride	500,000
Trenton Station Intermodal	6,500,000
New Mexico:	
Albuquerque Buses and Bus Facility	1,000,000
Alvorado Transportation Center—Phase II	300,000
Espanola ADA van & Compressed Gas Equipment	75,000
Rio Rancho Buses and Facilities	250,000
Santa Fe Bus Facility Renovation	200,000
New York:	
Albany, NY—Capital District Transportation Authority (CDTA), Bus and Bus Facilities	2,700,000
Brooklyn, downtown intermodal transit district	500,000
Broome County, Binghamton Intermodal Terminal	1,000,000
Buffalo Intermodal Transportation Center	5,000,000
Central New York Regional Transportation Authority	3,000,000
City of Schenectady, bus and bus facilities	500,000
Jamaica Intermodal Facilities	1,500,000
Lower Hudson Intercounty Bus Program	800,000
Mobile Health Service Buses, NYC	500,000
Nassau County's Long Island Bus	250,000
New Rochelle Intermodal Center	750,000
Niagara Transportation Authority Buses and Bus Facilities	3,250,000
Oneonta Public Transit Buses	750,000
Orange County, Buses	750,000
Rensselaer Intermodal Station and related community enhancements	800,000
Rochester-Genesee Regional Transportation Authority (RGRTA)—Rochester Central Station	3,000,000
Ulster County Rural Bus Facility	900,000
Utica Transit Authority Buses	900,000
Westchester County Bee-Line Buses	1,750,000
North Carolina:	
City of Charlotte Bus and Bus Facilities	1,500,000
North Carolina Bus and Bus Facilities	8,000,000
Piedmont Authority for Regional Transportation (PART)—Bus Purchase	1,000,000
Triangle Transit Authority (TTA) Maintenance Facility	350,000
North Dakota:	
North Dakota Statewide Capital Transit	2,901,000

Project Name	Conference total
Ohio:	
Cincinnati Government Square Transit Transfer Center	4,000,000
Greater Triskett Bus Garage Rehabilitation	1,000,000
Lorain Renovation Train Depot in a Multi-modal Hub	1,000,000
Ohio Public Transportation Association—Bus and Bus Facilities for the State of Ohio	8,500,000
Oklahoma:	
Central Oklahoma Transportation & Parking Authority (COPTA)	2,500,000
Metropolitan Tulsa Transit Authority (MTTA)	1,000,000
Oklahoma Transit Association—Bus and Bus Facilities	5,000,000
OSU Multimodal Transportation Facility	3,000,000
Oregon:	
Albany, Buses	220,000
Canby Transit	200,000
Eugene Lane Transit District	2,000,000
Portland, Tri-Met Buses	2,000,000
Rogue Valley Transit District	1,000,000
Salem Area Mass Transit Bus and Bus Facility	500,000
Wilsonville, South Metro Area Rapid Transit (SMART)	250,000
Pennsylvania:	
Adams Transit Authority Buses and Bus Facility	400,000
Allentown Intermodal Transportation Center	2,000,000
Altoona Metro Transit Buses	500,000
AMTRAN Bus and Transit System Improvements	750,000
Area Transportation Authority Buses, North Central Pennsylvania	2,000,000
Beaver County Transit Authority Buses	150,000
Berks Area Reading Transportation Authority—Buses and Facilities	1,000,000
Bucks County, SEPTA Intermodal facility improvement	1,000,000
Butler Township/City Joint Municipal Transit Multi-Modal Transfer Center	425,000
Cambria County Operations and Maintenance Facility	500,000
Capital Area Transit Buses	500,000
Easton Intermodal Terminal	2,000,000
Endless Mountain Transportation Authority	300,000
Fayette County Transit Facility	900,000
Hershey Intermodal Transportation Center	2,000,000
Indiana County Transit Authority	410,000
Mid-County Transit Authority, Facilities and Equipment	500,000
Port Authority of Allegheny County Buses (including clean fuels)	1,775,000
Pullman Multi-modal Center	500,000
SEPTA—Paratransit Vehicles	500,000
SEPTA Norristown Intermodal Facility	1,000,000
Somerset County Transportation System	160,000
TEA–21 Altoona, PA	3,000,000
Westmoreland County Transit Authority	1,450,000
Wilkes-Barre Intermodal Facility	250,000
Williamsport Bureau of Transportation City Bus—Lycoming County	1,250,000
York County Transit Authority Buses	500,000
Puerto Rico:	
Puerto Rico Metropolitan Bus Authority (MBA), bus and bus facilities	250,000
Rhode Island:	
Newport Trolley Project	500,000
Premium Commuter Service Pilot Program	1,000,000
Rhode Island Buses and Alternatively Fueled Infrastructure	3,000,000
University of Rhode Island Student Transportation Services	750,000
South Carolina:	
Intermodal/Inland Port Terminal	1,000,000
Myrtle Beach Regional Multimodal Transit Center	1,125,000
North Charleston Regional Intermodal Transportation Center	500,000
South Carolina Vehicles and Facilities	7,000,000
Sumter Intermodal Transportation Center (Union Station)	3,000,000
South Dakota:	
Rosebud Sioux Tribe Bus Facility	200,000
South Dakota Statewide—Bus and Bus Facilities	750,000
Tennessee:	
Knoxville Electric Transit Intermodal Center	3,400,000
Memphis Airport Intermodal Facility Improvements	3,000,000
Tennessee Bus Replacements & Bus Facilities	9,500,000
Texas:	
Abilene Bus Replacement—Citylink	600,000
Austin Bus Projects	5,000,000
Beaumont Buses	100,000
Brownsville Buses	100,000
Corpus Christi Regional Transportation Authority (RTA) Bus & Bus Facilities	500,000
El Paso Bus Projects	1,500,000
Fort Worth Transportation Authority	3,000,000
Galveston Buses	1,000,000
Houston Advanced Transit Program	2,000,000
Laredo, Administrative/Operations/Maintenance Facility	1,750,000
Lubbock Buses	150,000
Odessa & Midland, TX—Alternative Fuel Buses	1,000,000
San Antonio VIA Metropolitan Transit Authority	1,500,000
Texas Tech University Park & Ride; Buses	1,850,000
Waco Transit, Buses, Maintenance and Administration Facilities	1,900,000
Woodlands District Park & Ride	1,200,000
Utah:	
State of Utah—Buses and Facilities	1,000,000
UTA and Park City Transit Buses	4,000,000
Utah Statewide Regional Intermodal Transportation Centers	500,000
Vermont:	
Chittenden County Transit Authority Bus and Facility	2,000,00
Montpelier Multimodal Center	2,000,000
St. Johnsbury Transit Center Rehabilitation	250,000
Winooski Falls Downtown Multimodal Transportation Center	500,000
Virginia:	
Arlington Bus Transfer Stations	500,000
Greater Roanoke Transit Company (GRTC) Buses	1,050,000
Hampton Roads Bus and Bus Facilities	1,525,000
Petersburg Area Transit	750,000
Potomac & Rappahannock Transportation Commission	2,100,000
Potomac Yard Transitway	800,000
Richmond Multi-modal Facility	2,950,000
Virgin Islands:	
Virgin Islands Transit (VITRAN)	500,000
Washington:	
Clark County, WA C–TRAN Vancouver Mall Transit Center	2,600,000
Aurora Avenue Bus Rapid Transit	1,500,000
Burien transit center transit oriented development	2,000,000
Edmonds Crossing multimodal project	3,500,000
Intercity Transit (Thurston County) Fare Collection Equipment	250,000
Issaquah Highlands Park & Ride	1,400,000
Jefferson Transit Facilities	1,000,000
King Street Station Multimodal Facility	250,000
Lakewood SR 512 Park-n-Ride Expansion	1,500,000
Mason County Transportation Authority Facilities	300,000
Mercer Island Transit Center, Park and Ride	500,000
Mount Vernon multimodal facility and buses	2,000,000
Pierce County bus and bus facilities	3,000,000
Port Angeles International Gateway project	1,500,000
Small Bus System Program of Projects	2,140,000
Snohomish County Community Transit park and ride	3,000,000
Sound Transit regional transit hubs	4,000,000
Spokane bus and bus facilities	2,500,000
West Virginia:	
Huntington, Tri-State Transit Authority (TTA) buses and vans	1,800,000

Project Name	Conference total
Monongalia Courthouse Annex in Morgantown—Intermodal Parking Facility	3,500,000
West Virginia Statewide	4,000,000
Wisconsin:	
Wisconsin Statewide Bus & Bus facilities	16,300,000
Wyoming:	
Wyoming Department of Transportation	2,500,000

Bevill State Community College.—Funding provided to Bevill State Community College may also be made available to Jasper, Alabama.

Dulles Corridor park and ride.—Funds provided in fiscal year 2000 for the Dulles Corridor park and ride shall also be made available for the Reston East park and ride project in Virginia.

Fort Worth intermodal center park and ride.—Funding provided in fiscal year 2002 for the Fort Worth intermodal center park and ride facility shall be used to facilitate the finish out of the intermodal connections into downtown Fort Worth and to enhance the linkage of the TRE with the T's bus operation and park and ride elements occurring at two sites: the ITC (and geographically related areas like the 7th Street parking lot and Alarm Supply Building) and a larger facility at the Texas and Pacific Station.

State of Illinois.—Within the funding provided to the State of Illinois, $1,000,000 shall be for the refurbishment of the Dan Ryan station.

Ithaca, New York.—Funds made available in fiscal year 2000 to the Ithaca intermodal transportation center shall also be made available for the Binghamton intermodal transportation center.

Kansas buses.—Funding provided for Wyandotte County buses and Kansas City joblinks in fiscal year 2001 shall be made available to the Unified Government of Wyandotte County/Kansas City.

Commonwealth of Kentucky.—The conference agreement provides $7,500,000 for bus and bus facilities needs statewide. Of this funding, $4,000,000 shall be provided to southern and eastern Kentucky. The remainder shall be allocated to: Bluegrass Community Action Services, City of Frankfort, Kentucky Foothills Development Council, Community Action Council of Fayette/Lexington, Lexington Red Cross, East Kentucky Independent Service Organization, and Lexington Transit Authority.

State of Michigan.—Within the funding provided, the state should strongly consider requests from Alger County, Charlevoix County, Delta Area Transit Authority, Houghton, Ontonogan County, City of Sault Ste. Marie, and Schoolcraft County.

Mt. Sinai intermodal center.—Funding provided to the Mt. Sinai intermodal center in fiscal year 1992 shall also be made available to the Miami Beach intermodal facility in Florida.

Plaquemines Parish ferry.—Funds provided in fiscal year 2001 for Louisiana's Plaquemines Parish Ferry shall also be made available to the New Orleans Regional Planning Commission for vans, buses and related facility construction in Plaquemines, St. Bernard, St. John and St. Charles parishes.

State of Ohio.—Within the funds provided, the state should strongly consider requests from Kent, and the East Side transit center.

Sierra Madre Villa intermodal center.—Funding provided for the Sierra Madre Villa intermodal center in fiscal year 2002 shall also be made available to the Los Angeles County Metropolitan Transportation Authority (LACMTA) for bus and bus related facilities in the LACMTA's service area.

Swampscott buses.—Funding provided for the Swampscott buses in fiscal year 2000 may also be made available to Lynnfield, Massachusetts to replace buses.

Tompkins consolidated transit center, NY.—Funds made available in fiscal year 2002 for the Tompkins consolidated area transit center shall be made available for the City of Middletown buses and bus facilities ($320,000) and City of Kingston buses ($240,000), and the remainder shall be made available for Tompkins County bus and bus facilities.

Tompkins County intermodal facility.—Funds made available in fiscal year 2001 for the Tompkins County intermodal facility shall also be made available for the Ulster County, New York rural bus garage.

State of Washington.—Of the $2,140,000 provided to the small bus system program of projects in the State of Washington: $432,000 is for Grant Transit Authority, $144,000 is for Grays Harbor Transportation, $288,000 is for Island Transit, $96,000 is for Pacific Transit, and $1,180,000 is for Pullman Transit.

New fixed guideway systems.—In total, the conference agreement provides $1,260,415,648 for new fixed guideway systems, of which $1,214,400,000 is from new appropriations, $45,000,000 is from funds transferred from the access to jobs and reverse commute grant program, and $1,015,648 is from unobligated funds provided under Public Law 105–277 under the job access and reverse commute grant program.

Houston.—With regard to Full Funding Grant Agreement TX–03–0119 the Secretary shall remove ''Steubner Airline Park and Ride'' from the agreement and insert ''Barker Cypress Park and Ride, Fuqua Park and Ride and Clear Lake Park and Ride.''

Miami-Dade transit metromover stage I.—The conference agreement permits FTA to reprogram $5,384,000 in new starts funds, originally obligated for the Miami-Dade transit metromover stage I project, to the Metrorail Palmetto extension project.

The conference agreement provides for the following distribution of the recommended funding for new fixed guideway systems as follows:

Project Name	Conference
Alaska-Hawaii Setaside	$10,296,000
Altamont, CA, Commuter Express Maintenance Facility San Joaquin Rail Commission	1,000,000
Atlanta North Springs, GA (North Line Extension)	16,110,000
Baltimore, MD, Central LRT Double Tracking Project	18,000,000
Birmingham, AL, Transit Corridor Study	2,000,000
Boston, MA, North Shore Corridor Project	338,000
Boston, MA, South Boston Piers Transitway	681,000
Bridgeport, CT, Intermodal Transportation Center Project	2,500,000
Burlington-Middlebury, VT, Commuter Rail	1,500,000
Central Phoenix/East Valley, AZ, Light Rail	12,000,000
Charlotte, NC, South Corridor Light Rail Transit Project	11,000,000
Chicago Transit Authority, IL, Douglas Branch Reconstruction	55,000,000
Chicago Transit Authority, IL, Ravenswood Reconstruction	3,000,000
Cleveland, OH, Euclid Corridor Transportation Project	6,000,000
Dallas, TX, North Central Light Rail Extension	60,000,000
Denver, CO, Southeast Center LRT (T-REX)	70,000,000
Fort Lauderdale, Tri-County Commuter Rail Upgrades	29,250,000
Houston, TX, Advanced Metro Transit Plan	11,000,000
Las Vegas, NV, Resort Corridor Fixed Guideway	7,000,000
Little Rock, AR, River Rail Streetcar Project	1,700,000
Los Angeles, CA, Eastside Corridor LRT	4,000,000
Los Angeles, CA, North Hollywood Red Line	40,490,000
Lowell, MA to Nashua, NH, Commuter Rail Extension	3,000,000
Maryland, MARC Commuter Rail Improvements	11,750,000
Memphis, TN, Medical Center Rail Extension	15,610,000
Metra Commuter Rail and Line Extension Projects (North Central, Union Pacific West, SouthWest)	52,000,000
Metro North Rolling Stock, CT	4,000,000
Minneapolis, MN, Hiawatha Corridor LRT	60,000,000
Minneapolis, MN, Northstar Corridor	5,000,000
Nashville, TN, East Corridor Commuter Rail	4,000,000
New Jersey, Hudson-Bergen Light Rail—MOS1	19,200,000
New Jersey, Hudson-Bergen Light Rail—MOS2	50,000,000
New Orleans, LA, Canal Street Streetcar Project	22,000,000
New York, Long Island Railroad East Side Access Project	13,500,000
New York, Second Avenue Subway	2,000,000
Newark-Elizabeth, NJ, Rail Link	60,000,000
Northern Indiana South Shore Community Rail Project	2,500,000
Oceanside-Escondido, CA, Rail Corridor	13,600,000
Ogden to Provo, UT, Commuter Rail Corridor	5,000,000
Orange County, CA, Centerline Light Rail Project	1,500,000
Pawtucket, RI, Layover Facility	4,500,000
Pittsburgh, PA, North Shore Connector	7,025,000
Pittsburgh, PA, Stage II LRT Reconstruction	26,250,000
Portland, OR, Interstate MAX Light Rail Extension	70,000,000
Puget Sound, WA, Sounder Commuter Rail	30,000,000
Raleigh, NC, Triangle Transit Regional Rail Service	9,000,000
Salt Lake City, UT, CBD to University LRT	68,760,000
Salt Lake City, UT, Medical Center LRT	12,000,000
Salt Lake City, UT, North/South LRT	720,000
San Diego, CA, Trolley Mission Valey East LRT Extension	65,000,000
San Francisco, CA, BART Extension to San Francisco Airport	100,000,000
San Francisco, CA, Third Street Light Rail Extension (Phase II)	1,500,000

Project Name	Conference
San Jose, CA, Silicon Valley Rapid Transit Corridor Project	250,000
San Juan, PR, Tren Urbano	40,000,000
Scranton, PA to New York City, NY, Passenger Rail Service	2,000,000
SEPTA, PA, Schuylkill Valey Metro Line	9,000,000
St. Louis, MO, Metrolink, St. Clair Extension	3,370,000
Stamford, CT, Urban Transitway	10,000,000
Vermont Transportation Authority Rolling Stock	500,000
Virginia Railway Express project	2,000,000
Washington, DC, Dulles Corridor Rapid Transit Project	26,500,000
Washington DC/MD, Largo Extension	60,000,000
Wilmington, DE, Train Station improvements	2,000,000
Wilsonville-Beaverton Commuter Rail Line, OR	2,500,000

JOB ACCESS AND REVERSE COMMUTE GRANTS

The conference agreement includes a total program level of $150,000,000 for the job access and reverse commute grants as proposed by both the House and the Senate. Within this total, $30,000,000 is derived from the general fund. The conference agreement includes a provision that waives the cap for small urban and rural areas and provides that up to $300,000 of the funds appropriated under this heading may be used for technical assistance, technical support, and performance reviews of the job access and reverse commute grants program.

Of the total funding provided to the job access and reverse commute grants program, $45,000,000 has been transferred to the capital investment grants program instead of a transfer of $25,000,000 as proposed by the Senate. The House bill proposed no similar transfer. In addition, bill language has been included that transfers the 1999 unobligated balances from this program to the capital investment grants program.

Southeast Missouri Council.—Funding provided for fiscal year 2002 for the Southeast Missouri Council shall also be made available to the Mid-American Regional Council in Kansas City, Missouri.

Funds appropriated for the job access and reverse commute grants program are to be distributed as follows:

Project Name	Conference Total
Alaska:	
Alaska Mobility Coalition	$500,000
Kenai Peninsula Transit Planning	500,000
MASCOT Matanuska-Susitna Valley	200,000
Alabama:	
Jefferson County	3,000,000
Arizona:	
AJO to Phoenix Rural Express Bus Service	200,000
Maricopa County Worklinks Project	250,000
Southwest Transit Assessment & Review Team Bus Route 131	300,000
Valley Metro (RPTA), City of Phoenix	1,100,000
California:	
AC Transit—CalWORKS	2,000,000
County of Santa Clara Guaranteed Ride Home Program	500,000
East Palo Alto Shuttle Service	700,000
LA County UTRANS	500,000
Los Angeles County, MTA Ride Share program	875,000
Low-Income LIFT Program SF MTC	1,000,000
SACOG Sacramento Region	750,000
Sacramento Area	1,500,000
Southern California Regional Rail Authority, Metrolink double tracking	1,000,000
Colorado:	
Colorado Statewide—Colorado Association of Transit Agencies (CASA)	800,000
Connecticut:	
Connecticut statewide	3,500,000
District of Columbia:	
Georgetown Metro Connection—Washington, DC	1,100,000
WMATA (D.C., Maryland and Virginia)	2,125,000
Delaware:	
Delaware Welfare to Work Initiative	750,000
Florida:	
HART Access to Jobs Program	700,000
Jacksonville Trans. Authority Choice Ride Program	1,625,000
Key West	1,000,000
LYNX Central Florida Regional	200,000
Georgia:	
Chatham	438,000
Macon-Bibb County Reverse Commute Program	775,000
Iowa:	
Iowa Statewide	1,000,000
Illinois:	
DuPage County Coordinated Paratransit Program	500,000
Illinois Ways to Work	500,000
Rock Island County Mass Transit District (MetroLink)	180,000
Ways-to-Work—IL-MO	1,000,000
Indiana:	
Fort Wayne's Hanna Creighton Transit Center	750,000
IndyGo Service	1,000,000
Kansas:	
KW Paratransit Vehicle	30,000
Mid America Regional Council (MARC)	500,000
Wyandotte County	1,150,000
Louisiana:	
Lafayette Ways to Work Program	100,000
Massachusetts:	
Brockton Area Transit Authority	225,000
Community Transportation Association of America	1,000,000
Northern Tier Dial-A-Ride	400,000
Transportation Services of Northern Berkshire, Inc.	400,000
Maryland:	
Maryland Statewide (Montgomery County, $600,000)	5,000,000
Michigan:	
Flint Mass Transportation Authority	1,050,000
Grand Rapids/Kent County Job Access Plan	938,000
Minnesota:	
Minneapolis/St. Paul, Met Council	1,000,000
Missouri:	
Metrolink Corridor Access to Jobs	3,000,000
Metropolitan Kansas City Job Access Partnership	1,000,000
Missouri Statewide	1,400,000
Ways to Work Missouri	225,000
North Carolina:	
Community Transportation Association of America's Joblinks Employment Transportation Initiative	1,000,000
Wake County Coordinated Transportation System	775,000
New Hampshire:	
Lancaster-Littleton Transit Project	50,000
New Jersey:	
New Jersey statewide	5,000,000
New York:	
Broome County Transit—Binghamton, NY	250,000
Capital District Transportation Authority Albany	275,000
Central NY Regional Transportation Authority	500,000
Chautauqua Area Rural Transportation System	50,000
Chemung County Transit	75,000
Columbia County	100,000
Franklin County Expansion of Hour Service	75,000
Hornell Trans. Alternatives for NY	50,000
Ithaca service	75,000
MTA—Long Island Bus	250,000
New York State DOT	500,000
Orange County	100,000
Rochester-Genesee Regional Transportation Authority (RGRTA)	600,000
Tompkins Consolidated Area Transit, Tompkins County	300,000
Ohio:	
Central Ohio Transit Authority (COTA)—Mobility Management	600,000
Greater Cleveland Regional Transit Authority	500,000
Northwest Ohio Commuter LINK Toledo	375,000
STEP–UP Job Access Project Dayton	125,000
Oklahoma:	
Oklahoma Transit Association	5,000,000
Oregon:	
Jackson-Josephine County	200,000
Oregon Ways to Work Loan Program	250,000
Portland Metropolitan Region	2,150,000
Salem Area Transit	500,000
Pennsylvania:	
Port Authority of Allegheny County Access to Jobs	4,000,000
SEPTA	5,570,000
Rhode Island:	
Rhode Island Deployment of Flexible Services	750,000
Rhode Island Public Transit	2,000,000
Tennessee:	
Chattanooga	500,000
Knoxville	750,000
State of Tennessee	1,500,000
Texas:	
Abilene Citylink Program	100,000

Project Name	Conference Total
Austin Capital Metros Access	2,500,000
Citibus, Lubbock	230,000
Corpus Christi	1,225,000
East Texas Just Transportation Alliance (ETJTA): Tyler Transit	200,000
El Paso	250,000
Galveston	600,000
San Antonio Access to Jobs Program	1,088,000
Virginia:	
City of Charlottesville	375,000
Fairfax County, Short-Term Transit Improvements	1,600,000
Virginia Regional Transportation Association, Route 7 service/Dulles corridor	200,000
Washington:	
Community Transportation Association of America	150,000
WA WorkFirst Initiative	4,750,000
Ways to Work—EPIC Yakima	500,000
Wisconsin:	
Wisconsin Statewide	5,200,000
West Virginia:	
West Virginia Statewide	1,000,000

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

The conference agreement appropriates $14,086,000 for operations and maintenance of the Saint Lawrence Seaway Development Corporation.

Security—The conferees applaud the initial security efforts of the corporation and encourage the corporation to continue the development of a high risk vessel assessment protocol with assistance from the U.S. Coast Guard and Transportation Security Administration.

FECA administrative costs—The conferees have denied funding proposed in the budget for FECA administrative costs. This is consistent with actions taken DOT-wide.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

The conference agreement appropriates $40,980,000 for research and special programs instead of $40,677,000 as proposed by the House and $43,725,000 as proposed by the Senate. Within this total, $3,250,000 is available until September 30, 2005, as proposed by the House, instead of $3,342,000 as proposed by the Senate. The following adjustments are made to the budget estimate:

Reduce funding for prior year budget decisions	–$265,000
Reduce funding for emergency transportation detailee	–107,000
Reduce funding for new program support decisions	–790,000
Reduce funding for new IT infrastructure	–2,239,000
Reduce funding for FECA administrative costs	–3,000

The conference agreement permits up to $1,200,000 in fees be collected and deposited in the general fund of the Treasury as offsetting receipts. Also, the conference agreement includes language that permits funds received from states, counties, municipalities, other public authorities and private sources for expenses incurred for training, reports publication and dissemination, and travel expenses incurred in the performance of hazardous materials exemptions and approval functions. The House and Senate proposed both of these provisions.

Prior year funding decisions.—The budget included $265,000 for reimbursement of salary and administrative funding that Congress did not provide in the fiscal year 2002 appropriations Act. The conference agreement deletes funding for this purpose, as proposed by the House.

New positions.—The budget requested a total of fourteen new positions for RSPA's information management program. The conference agreement has provided a total of two of these new positions, one security officer and one network administrator/computer analyst, as proposed by the House.

Emergency transportation detailee.—RSPA requested $100,000 to pay for an existing detailee position from the Department of Defense to serve as a liaison officer in the office of emergency transportation. Because this position is filled by an employee of the Department of Defense, not RSPA, and detailees are customarily paid for by the sponsoring department, the conferees delete funding for this purpose, as proposed by the House. An additional $7,000 is also denied for FECA-related costs.

Information technology infrastructure.—The conference agreement has reduced funding by $2,239,000 from the request for computer infrastructure, for a total funding level of $1,500,000, as proposed by the House. The conferees direct RSPA to focus its information technology investment funding on safety and security related mission critical areas, such as pipeline safety and hazardous materials areas, as well as on addressing the internal and external computer-related security threats identified by the March 2002 security posture assessment report.

The conference committee further directs that no additional funds shall be expended for consulting costs for RSPA's business modernization initiative until a new Strategic Information Technology Plan is submitted, as proposed by the Senate. Further, RSPA shall provide this new Strategic Information Technology Plan, of no more than fifteen pages, to the House and Senate Committees on Appropriations by May 15, 2003, also proposed by the Senate. The report should identify a detailed infrastructure spending plan, including an itemization of resources and the sequence in which RSPA addresses security and infrastructure needs.

Operation Respond.—The conferees agree to provide an additional $1,500,000 to further accelerate the establishment of a national first responder emergency services network. Funds should be used for pilot programs at the Ports of Los Angeles and Long Beach, California, the Port of New York/New Jersey, the Port of Mobile, Alabama, and the Port of Valdez, Alaska, to provide chemical content verification and response information for containers entering and exiting ports. Within the funds provided, Operation Respond is also expected to address the unique security concerns of rural America by developing model first responder deployment programs in Eastern Kentucky.

FECA benefits.—The conference agreement has reduced funding by $3,200 from the budget request for workers compensation administrative costs, as proposed by the House.

User fees.—The conferees disagree with the budget request to begin funding the hazardous materials safety program from user fees, as proposed by both the House and Senate, and deny this request.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

The conference agreement provides a total of $63,842,000 for the pipeline safety program, instead of $58,697,000 as proposed by the House and $63,857,000 as proposed by the Senate. Within this total, $24,823,000 is available until September 30, 2005, as proposed by the Senate, instead of $22,786,000 as proposed by the House.

Of this total, the conference agreement specifies that [$56,370,000] shall be derived from the Oil Spill Liability Trust Fund and [$7,472,000] from the Pipeline Safety Fund. The House bill allocated $7,472,000 from the Oil Spill Liability Trust Fund and $51,225,000 from the Pipeline Safety Trust Fund. The Senate bill provided $7,472,000 from the Oil Spill Liability Trust Fund and $56,385,000 from the Pipeline Safety Fund. The following adjustments are made to the budget estimate:

Reduce funding for FECA administrative costs	–15,000

Research and development.—Within the funds provided, $600,000 shall be used for airborne environmental laser mapping technology research and engineering to support improved leak detection, analysis, and response by federal, state, and industry pipeline safety officials.

FECA benefits.—The conference agreement has reduced funding by $15,000 from the budget request for workers compensation administrative costs, as proposed by the House.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

The conference agreement provides $200,000 for emergency preparedness grants as proposed by both the House and the Senate. The conference agreement includes a limitation on obligations of $14,300,000, consistent with both the House and Senate proposals.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement includes $57,421,000 for the office of inspector general, as proposed by the House and Senate.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

The conference agreement provides a funding level of $19,450,000 for the Surface Transportation Board to fund salaries and expenses from a direct appropriation, as proposed by the House. The conference agreement includes language as proposed by both the House and the Senate that allows the Board to offset $1,000,000 of its appropriation from fees collected during the fiscal year, for a total program level of $18,450,000.

FECA administrative costs.—The conference agreement has reduced funding by $9,100 from the budget request for workers compensation administrative costs, as proposed by the House.

Union Pacific/Southern Pacific merger.—On December 12, 1997, the Board granted a joint request of Union Pacific Railroad Company and the City of Wichita and Sedgwick County, KS (Wichita/Sedgwick) to toll the 18-month mitigation study pending in Finance Docket No. 32760. The decision indicated that at such time as the parties reach agreement or discontinue negotiations, the Board would take appropriate action.

By petition filed June 26, 1998, Wichita/Sedgwick and UP/SP indicated that they had entered into an agreement, and jointly petitioned the Board to impose the agreement as a condition of the Board's approval of the UP/SP merger. By decision dated July 8, 1998, the Board agreed and imposed the agreement as a condition to the UP/SP merger. The terms of the negotiated agreement remain in effect. If UP/SP or any of its divisions or subsidiaries materially changes or is unable to achieve the assumptions on which the Board based its final environmental

mitigation measures, then the Board should reopen Finance Docket 32760 if requested by interested parties, and prescribe additional mitigation properly reflecting these changes if shown to be appropriate.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS

COMPLIANCE BOARD

SALARIES AND EXPENSES

The conference agreement appropriates $5,194,000 for salaries and expenses of the Architectural and Transportation Barriers Compliance Board as proposed by both the House and the Senate.

FECA administrative costs—The conferees have denied funding proposed in the budget for FECA administrative costs. This is consistent with actions taken DOT-wide.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement appropriates $72,450,000 for the salaries and expenses of the National Transportation Safety Board instead of $71,270,000 as proposed by the House and $72,500,000 as proposed by the Senate. This funding level is $1,970,000 above the budget request and shall be used to annualize 25 new positions, pay for true overtime costs for investigators, and implement financial management control initiatives that were recommended by an audit firm. No funding has been provided for FECA administrative costs.

TITLE III

GENERAL PROVISIONS

Sec. 301 allows funds for aircraft; motor vehicles; liability insurance; uniforms; or allowances, as authorized by law as proposed by both the House and Senate.

Sec. 302 requires pay raises to be funded within appropriated levels in this Act or previous appropriations Acts as proposed by both the House and Senate.

Sec. 303 limits appropriations for services authorized by 5 U.S.C. 3109 to the rate for an Executive Level IV as proposed by both the House and Senate.

Sec. 304 prohibits funds in this Act for salaries and expenses of more than 106 political and Presidential appointees in the Department of Transportation, instead of 107 as proposed by the House and 105 as proposed by the Senate. Sec. 304 also includes a provision that prohibits political and Presidential personnel to be assigned on temporary detail outside the Department of Transportation or an independent agency funded in this Act as proposed by the House. The Senate proposed no similar provision.

Sec. 305 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act as proposed by both the House and Senate.

Sec. 306 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein as proposed by both the House and Senate.

Sec. 307 limits consulting service expenditures of public record in procurement contracts as proposed by both the House and Senate.

Sec. 308 prohibits funds for the National Highway Safety Advisory Commission as proposed by both the House and Senate.

Sec. 309 exempts previously made transit obligations from limitations on obligations as proposed by both the House and Senate.

Sec. 310 modifies the distribution of the Federal-aid highway program proposed by the Senate. The House proposed no similar provision.

Sec. 311 prohibits recipients of funds made available in this Act to release personal information, including a social security number, medical or disability information, and photographs from a driver's license or motor vehicle record without express consent of the person to whom such information pertains; and prohibits the Secretary from withholding funds provided in this Act for any grantee if a state is in noncompliance with this provision as proposed by both the House and Senate.

Sec. 312 prohibits funds to establish a vessel traffic safety fairway less than five miles wide between Santa Barbara and San Francisco traffic separation schemes as proposed by both the House and Senate.

Sec. 313 allows airports to transfer to the Federal Aviation Administration instrument landing systems as proposed by both the House and Senate.

Sec. 314 allows funds for discretionary grants of the Federal Transit Administration for specific projects, except for fixed guideway modernization projects, not obligated by September 30, 2005, and other recoveries to be used for other projects under 49 U.S.C. 5309 as proposed by both the House and Senate.

Sec. 315 allows transit funds appropriated before October 1, 2002, that remain available for expenditure to be transferred as proposed by both the House and Senate.

Sec. 316 prohibits funds to compensate in excess of 350 technical staff years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development as proposed by the House. The Senate included no similar provision.

Sec. 317 provides funding of administrative expenses for the Federal Motor Carrier Safety Administration and the Federal Highway Administration.

Sec. 318 allows funds received by the Federal Highway Administration, Federal Transit Administration, and the Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited to each agency's respective accounts as proposed by both the House and Senate.

Sec. 319 allows funds made available for Alaska or Hawaii ferry boats or ferry terminal facilities to be used to construct new vessels and facilities or to improve existing vessels and facilities, and for repair facilities as proposed by the Senate. Sec. 319 also includes a provision proposed by the Senate that allows not more than $3,000,000 of the funds made available for ferry boats to be used by the State of Hawaii to initiate and operate a passenger ferryboat services demonstration project and waives U.S.C. 5302(a)(7). The House contained no similar provision.

Sec. 320 allows funds received by the Bureau of Transportation Statistics to be subject to the obligation limitation for Federal-aid highways and highway safety construction as proposed by both the House and Senate.

Sec. 321 exempts a general aviation airport with more than 300,000 annual operations from having to accept scheduled passenger service provided that the airport meets specific conditions, as proposed by the Senate. The House included no similar provision.

Sec. 322 prohibits the use of funds in this Act for activities designed to influence Congress or a state legislature on legislation or appropriations except through proper, official channels as proposed by both the House and Senate.

Sec. 323 permits funds from Public Law 106–69 and Public Law 106–346 for the Wilmington, Delaware, downtown corridor project to be available for Wilmington, Delaware, commuter rail improvements, as proposed by both the House and Senate. In addition, Section 323 permits funds from Public Law 106–346 for Missoula Ravalli Transportation Management Administration buses to be available for Missoula Ravalli Transportation Management Administration buses and bus facilities, as proposed by the Senate.

Sec. 324 requires compliance with the Buy American Act as proposed by the Senate. The House included no similar provision.

Sec. 325 transfers the operation and maintenance of the localizer instrument landing system at Walnut Ridge Regional Airport, Arkansas, to the Federal Aviation Administration, as proposed by the Senate. The House included no similar provision.

Sec. 326 transfers the operation and maintenance of the air traffic control tower at Williams Gateway Airport, Arizona, to the Federal Aviation Administration, as proposed by both the House and the Senate.

Sec. 327 is a provision regarding a highway in Alaska, as proposed by the Senate. The House included no similar provision.

Sec. 328 authorizes the Secretary of Transportation to allow issuers of any preferred stock to redeem or repurchase preferred stock sold to the Department of Transportation as proposed by both the House and Senate.

Sec. 329 prohibits funds in this Act unless the Secretary notifies the House and Senate Committees on Appropriations not less than three full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administration, and $500,000 for the Transportation Security Administration, as proposed by both the House and Senate.

Sec. 330 appropriates $90,600,000 to the Secretary of Transportation to make grants for surface transportation projects as proposed by the Senate.

Project Name	*Conference Total*
1000 North Road—Toole City, Utah	$500,000
14th Street Bridge Corridor, Virginia	2,500,000
236 Claggett Hill Road Construction with Lewis & Clark Ferry Boat Facilities, Missouri River Montana	1,500,000
3RD Street North—St. Cloud, Minnesota	500,000
Aberdeen SD to Geneseo ND Rail Repair, South Dakota	650,000
Adrian's Landing Urban Development Roadway Realignment Project, Hartford, Connecticut	5,000,000
Alameda-Contra Costa transit district (SatCom), California	1,000,000
Albany waterfront development Corning Preserve, New York	250,000
Alcove Road Relocation Project—Morrisville, North Carolina	750,000
American Tobacco Trail Project, Wake County, North Carolina	500,000
Analysis and improvements on consistent shoulder width on Route 9, Virginia	500,000
Analysis for new bridge to relieve congestions at US Highway 175 in Kaufman County, Texas	600,000
Anderson County South Carolina Transit, South Carolina	3,000,000
Anderson Economic Thoroughfare, Illinois	500,000

Project Name	Conference Total
Ann Arbor transit center, Michigan	1,000,000
Anniston East Bypass—Anniston, Alabama	1,000,000
Arkwright Connector Spartanburg, South Carolina	1,000,000
Aroostook County North-South Highways, Maine	4,500,000
Artesia traffic enhancement, City of Artesia, California	1,200,000
Assembly Street railroad consolidation and grade crossing elimination, South Carolina	600,000
Atlantic Avenue Extension, Jamaica, New York	1,500,000
ATMS/ATIS Hutchinson River Parkway, New York	2,000,000
Austin Road Interchange, Ohio	250,000
Baldwin County, Georgia, greenway development	100,000
Baseline Road Project, Isabella County, Michigan	1,475,000
Bashford Manor Lane, Kentucky	300,000
Bay County Area Wide Traffic Signal System, Florida	1,000,000
Bettes Corner Bridge, Ohio	1,500,000
BIA Route 13/Route 1 Project Makah, Vermont	5,400,000
Black Narrows & Chinoteague Bridge, Virginia	650,000
Boston Long Island Pier ADA Compliance, Massachusetts	200,000
Bremerton Ferry Exit Tunnel, Washington	1,500,000
Bridgeport High Speed Ferry Terminal Improvements, Connecticut	500,000
Broomsfield Wadsworth Interchange, Colorado	3,750,000
Brown Road Bridge, Anderson County, South Carolina	1,500,000
Brownsville Railroad Relocation, Texas	2,000,000
Canal Streetcar Project, New Orleans, Louisiana	4,000,000
Cape Flattery Tribal Scenic Byway paving project, Washington	2,500,000
Capitol Circle widening, Leon County, Florida	1,000,000
Caraway Road Overpass Project Jonesboro, Arkansas	1,000,000
Cass Lake Interpretive Center, Minnesota	600,000
Chinatown Intermodal Station, California	1,500,000
Chinese Community Center, Chinatown Study, New York	750,000
Citizen's Block/Historic Vernon Downtown Revitalization, Connecticut	500,000
City of Alexandria, Virginia, intelligent transportation system (Alexandria ITS, King/Braddock/Quaker)	750,000
City of Baltimore public waterfront promenade, Maryland	500,000
City of Madison Railroad Relocation Project, Mississippi	100,000
City of Madison, Wisconsin State Street Strategic Plan Revitalization Project	2,000,000
City of Pico Rivera, Rosemead Blvd Improvements, California	400,000
City of Rochester harbor and ferry terminal improvements, New York	2,000,000
City-wide automobile insurance feasibility study, Philadelphia, Pennsylvania	100,000
Clay/Leslie Industrial Park Access, Kentucky	1,750,000
Coast Transit Authority, Harrison County, Mississippi	500,000
Compton Willow Creek ITS project, California	500,000
Concord Parkway Traffic Signals System Integration, Concord, North Carolina	1,400,000
Continental 1, New York	1,500,000
Coronado Tunnel, California	750,000
Council Bluffs US–6 Study/Preliminary Design, Iowa	1,424,000
CR–1133 in Monroe County—Kettle Creek Bridge, Kentucky	130,000
Cuyahoga Scenic Rail Line (Canton-Akron-Cleveland Commuter Rail Project), Ohio	3,000,000
Detroit city center study, Michigan	300,000
Detroit Department of Transportation Transit Facility, Michigan	2,000,000
Develop of Elyria Downtown Waterfront Walk, Elyria, Ohio	500,000
Dothan, I–10 Freeway Connector, Alabama	5,000,000
Dubuque Southwest Arterial, Iowa	2,000,000
Dynamic Message Sign (DMS) camera deployment and integration program, Monroe County, New York	1,000,000
East Chicago Railroad Ave. Grade Crossing Separation, Indiana	2,435,000
Elkhart Underpass, Indiana	4,000,000
Englewood Interstate Connector—Sarasota County, Florida	1,000,000
Enhanced fencing, lighting, and security cameras at Port of Milwaukee, Wisconsin	250,000
Extension of Sallee Street from Washington to Historic Route 66—LItchfield, Illinois	664,000
Fall River-Route 79 Improvements, Massachusetts	1,000,000
Farrington Highway, Hawaii	1,000,000
FAST Corridor Project, Washington	10,000,000
Feasability study, Granbury, Hood County, Texas	650,000
Ferry Facilities, Key West, Florida	1,000,000
Ferry service from Rockaway Peninsula to Manhattan (Jamaica Bay Transportation Hub), New York	400,000
Franklin Park Rail-Grade Separation, Illinois	500,000
Freedom Road Corridor Improvements—Butler County, Pennsylvania	250,000
Freeway Interchange at Lammers Road and I–205, Tracy, California	1,000,000
Freight Enhancement KY Highlands, Kentucky	3,000,000
GA SR 316 Improvements—Gwinnett, Barrow, Oconee Counties, Georgia	2,000,000
Garden Parkway Bypass (US 321/740), North Carolina	750,000
General Mitchell International Airport Passenger Rail Station, Wisconsin	4,000,000
Girdwood Road Improvements, Alaska	10,000,000
Grade separations at Front Street and Bagley Road, Berea Ohio	500,000
Granite Street Bridge Project, New Hampshire	8,000,000
Gravina Bridge, Ketchikan, Alaska	2,000,000
Great River Economic Development Foundation, Arkansas study of Osceola, Arkansas, to Millington, Tennessee parkway, include new bridge crossing Mississippi River	250,000
Greenwood Rail Relocation, Greenwood, Mississippi	1,000,000
Harden Street improvements Columbia, South Carolina	500,000
Harlingen Railroad Relocation Project, Texas	200,000
Hatteras Inlet ferry connecting Ocracoke Island and North Carolina Outer banks, North Carolina	400,000
Hawkins Crossing, I–20/59 Interchange, Meridian, Mississippi	4,500,000
Hiawatha pedestrian/bicycle crossing, 28th Street, Minneapolis, Minnesota	2,900,000
High Street Revitalization, Lawrenceburg, Indiana	1,000,000
Highway 21, Missouri	340,000
Highway 212 between Norwood Young America and Cologne in Carver County, Minnesota	500,000
Highway 30, Kentucky	3,000,000
Highway 52 Corridor Plan, Intersection of US Hwy 52 at Dakota City, Road 47, Minnesota	1,000,000
Highway 537—Cane Ridge Road, Kentucky	675,000
Highway 71, Alma-Greenwood, Arkansas	1,000,000
Highway Improvements along T.H. 13 corridor near Ports of Savage, Minnesota	1,000,000
Highway 19 Bridge Replacement, Hermann, Missouri	2,000,000
Honeybranch Regional Business Park Access Road, Kentucky	1,650,000
Hoover Dam Bypass New Bridge downstream of Dam, Nevada	5,000,000
Hot Metal Bridge, Pennsylvania	250,000
Hotze Road—Salem, Illinois	1,000,000
Houston, Texas Main Corridor Revitalization Project	1,000,000
HUB Business District Project, New York	2,000,000

Project Name	Conference Total
Hunt County, Texas	1,000,000
Huntsville Federal Building, Alabama	600,000
''I'' Road from FM 495 to US281, Hidalgo County, Texas	1,250,000
I–10 Freeway/Cypress Ave. Grade Separation Project, California	500,000
I–10 Irvington Interchange, Alabama	4,000,000
I–12/Northshore Boulevard-Airport Road Interchange Improvements, St. Tammany Parish, Louisiana	1,000,000
I–12/US 190 West Covington Bypass, St. Tammany Parish, Louisiana	1,050,000
I–15 Layton Interchange Project, Utah	1,500,000
I–16/I–516 Interchange design and reconstruction, Georgia	1,000,000
I–20 Garrett Road Monroe, Louisiana	500,000
I–235/Harrison Avenue off-ramp and Walnut Avenue Relocation, Oklahoma	1,200,000
I–26 Little Mountain interchange improvements, South Carolina	500,000
I–295 Interchange @ Meadowville Road—Chesterfield County, Virginia	1,700,000
I–35—Comal County, Texas	500,000
I–35 East/I–635 interchange, Texas	1,000,000
I–35–E Widening Dallas and Ellis Counties, Texas	3,000,000
I35W Lake Street Access, Minnesota	9,000,000
I–40 Crosstown Expressway realignment, Oklahoma City, Oklahoma	3,000,000
I–405 Corridor Tukwila to Lynnwood, Washington	2,000,000
I–44 Yake Avenue to Arkansas River, Oklahoma	500,000
I–44, Phelps County, Missouri	2,250,000
I–49 Northern Extension, Louisiana	3,000,000
I–49 Southern Extension, Louisiana	3,000,000
I–5 Widening at Del Mar Heights Road, San Diego, California	2,000,000
I–5/SR 56 Connectors, California	1,500,000
I–5/SR 78 Interchange, Oceanside, California	500,000
I–540 and Perry Road Interchange, Rogers, Arkansas	1,600,000
I–55 Church Rd. to TN State Line DeSoto County, Mississippi	10,000,000
I–59 & FM 2919, Isleib, Texas	3,000,000
I–65 Connector, Florida	250,000
I–65/70 Market Square Redesign/Replace ramp, Indiana	4,500,000
I–66/Rt 29 Interchange, Prince William County, Virginia	1,500,000
I–69 Anderson to Flagship Park Center, Indiana	1,000,000
I–69 Construction, Texas	2,500,000
I–69 Corridors 18 and 20, Texas	4,000,000
I–69 Evansville to Indianapolis, Indiana	500,000
I–70/MD85/MD355 intersection reconstruction, Maryland	1,000,000
I–73 North Carolina State line to Myrtle Beach, South Carolina	3,000,000
I–75 noise barrier—Lexington, Kentucky	750,000
I–75, Lee County, Florida	500,000
I–75/I–475 Systems Interchange Upgrade at North Cove, Ohio	1,100,000
I–80 from Delaware Water Gap to Blakeslee, Pennsylvania	850,000
I–90 Exit 32 Interchange at Sturgis, South Dakota	3,000,000
I–91 North ITS from Northhampton to Bernardston, Massachusetts	600,000
I–95 Harbor Access, New Haven, Connecticut	2,000,000
I–96/Cedar/Pennsylvania Interchange, Michigan	700,000
I–99 Frankstown Road, Pennsylvania	1,000,000
IL 6 Extension to Chillicothe, Illinois	750,000
Image-based toll collection system project, California	750,000
Improved access to Dyess Air Force Base, Texas	850,000
Indiana Dunes National Lakeshore (IDNL) hike/bike trail and pedestrian bridge/overpass, Indiana	25,000
INDOT US–31 Environmental and Design study, Indiana	500,000
Industrial park access improvements, Escambia County, Atmore, Alabama	1,250,000
Infrastructure Improvements, Sunnybrook Neighborhood, Bay Shore, New York	175,000
Installation of a TL–2 warning/positive protection gate at Railroad/Grade crossing projects, Alabama	2,000,000
International Airport Intermodal Facility, Harrisburg, Pennsylvania	1,500,000
Intersection of KY 3 and 40, Kentucky	4,000,000
Isleta Boulevard Project, Bernaslillo, New Mexico	1,500,000
Japonski Island Road, Alaska	1,000,000
Jefferson Boulevard, Kentucky	500,000
Johnsontown Road, Kentucky	1,000,000
Juneau Heliport, Alaska	1,000,000
Kannapolis Parkway & I–85 Interchange—Kannapolis, North Carolina	500,000
Kansas Lane Connector Road alignment project, Monroe, Louisiana	500,000
King Coal Highway Mercer County, West Virginia	9,000,000
Kitsap Transit, Sidney Landing Terminal, Washington	2,000,000
Knob Creek Road and Mountain View Road—Washington County, Tennessee	1,270,000
LA 18 Widening—Jefferson Parish, Louisiana	750,000
LA 37/US 190 Centrual Thruway Connector, Louisiana	3,000,000
LA–820 Lincoln Parish, Louisiana	500,000
Lawrence Connector, Illinois	750,000
Lee Highway & Chain Bridge Road intersection improvements—(Rt 29/50 & 123), Virginia	2,000,000
Lenexa Prairie Star Expressway, Kansas	2,750,000
Lexington Bridge Cowlitz-Wahkiaakum, Washington	6,000,000
Libertyville Traffic Management Center, Illinois	1,000,000
Long Branch Road, Meade County, Kentucky	1,000,000
Louisville-Southern Indiana Ohio River Bridges Project, Indiana	3,000,000
Lyndale Avenue Bridge, Richfield, Minnesota	3,000,000
Mahoning River Corridor of Opportunity Industrial Park Roadway Improvement, Ohio	50,000
Manhattan Bridge Physical Security Assessment, New York	850,000
Maricopa County, AZTech integrated emergency and transportation communication network, Arizona	3,000,000
Marquette Interchange Reconstruction, Milwaukee, Wisconsin	1,500,000
Marsh-Billings-Rockefeller Park Pedestrian Walkway, Vermont	380,000
Martin Luther King Jr. Parkway Des Moines, Iowa	3,000,000
Matanuska-Susitna Borough Road Improvements, Alaska	3,500,000
McCleary, Bridge, Wausau, Wisconsin	6,000,000
Melrose Park Rail-Grade Separation, Illinois	750,000
Memphis Airport, Plough Boulevard Access Road Project, Tennessee	2,700,000
Metlakatla/Walden Point Road, Alaska	2,000,000
Miami-Dade County 7th Avenue Bus Transfer Center, Florida	500,000
Mission Trails Project Packages 4 and 5, San Antonio, Bexar County, Texas	750,000
Missouri River Trail, North Dakota	1,000,000
Missouri River Two State Bridge Project, Nebraska	750,000
Missouri-Kansas Bistate I–35 Commuter Rail project-Johnson County, Kansas	400,000
Mobile Port, Waterfront & Transportation Initiative/Maritime Center of the Gulf of Mexico, Alabama	1,000,000
Monroe Township Intersection Signalization Project, New Jersey	500,000
Monticello Street Overpass, Kentucky	7,750,000
Montpelier Downtown Redevelopment Project, Vermont	1,500,000
Mt. Vernon Veterans Memorial Overpass, Mt. Vernon, Illinois	1,000,000
Naknek Lake Camp Road, Alaska	3,400,000

Project Name	Conference Total
Needs assessment study of the I–84/Route 8 interchange, Waterbury, Connecticut	1,000,000
New Luke Road Trade Corridor Access Project, Texas	250,000
New Orleans/E. 101st South Widening from Elm Place to State Hwy, 51—Broken Arrow, Oklahoma	500,000
New road through former Kelly Air Force Base, Texas	850,000
Newport Harbor water shuttles, Newport, Rhode Island	450,000
North Carolina Division of Motor Vehicles, Hillsborough weigh station Orange County	1,000,000
North Carolina State University Transportation Center	2,000,000
North Memphis Street District Redevelopment and Revitalization Project, Mississippi	500,000
North Salina Street Corridor—Syracuse, New York	750,000
Northeast Illinois Rail Capacity Initiative, Illinois	5,000,000
Northern Forum, Alaska	500,000
Norwestern Highway Extension, Michigan	1,500,000
Oakland County Smart Corridor and Emergency Routing System, Michigan	4,800,000
Ogden Avenue Improvement/Renovation, Missouri	1,000,000
Ohio Valley Children's Home South Industrial Park (Greene County) Xenia, Ohio	1,000,000
Old Dominion University Maglev Project Norfolk, Virginia	2,000,000
Ole Town Niporno Pedestrian Enhancements, California	100,000
Palm Beach County Water Taxi Facilities Project, Florida	1,000,000
Panama City Beach Florida West Bay Bridge Project, Florida	2,000,000
Patuxent River Naval Air Station Museum and Visitor Center, Maryland	3,400,000
Peach Street Corridor Improvement Project, Pennsylvania	2,000,000
Pedestrian circulation study & improvements in town of Hillsboro Route 704/Route 9 intersection, Virginia	1,500,000
Pennsylvania Avenue Improvement Project, Washington, DC	11,100,000
Phalen Boulevard, Minnesota	1,000,000
Pierre Rail Bypass, South Dakota	4,000,000
Pomeroy-Mason Bridge Mason County, West Virginia	4,500,000
Ponce De Leon Inlet Water Taxi, Volusia County, Florida	750,000
Port Everglades-Fort Lauderdale/Hollywood Airport Return Loop, Florida	1,500,000
Port Knik Bridge, Alaska	5,000,000
Port of Garfield Road & Bridge Road, Washington	500,000
Portland Safety Enhancement, Maine	1,000,000
Ports to Plains Corridor development management plan, Texas	2,000,000
Queens Plaza Roadway rebuilding project, Long Island City, New York	500,000
Rail Crossing Safety Project (OK DOT)—Edmund, Oklahoma	1,500,000
Railroad Avenue Extension, Berkeley County, South Carolina	1,000,000
Ramsey Street extension, Banning, California	1,750,000
Reconstruction of Dakota Street—Aberdeen, South Dakota	500,000
Reconstruction of I–135, Sedgwick County, Kansas	1,000,000
Rehabilitation of County Route 37 and Alternate Route 37, Jefferson County, New York	750,000
Rehabilitation of the Waldo-Hancock Bridge, Maine	4,000,000
Road/trail/bikeway along Delaware River, Pennsylvania	550,000
Rockville, Maryland pedestrian access	150,000
Roosevelt Connector, Pinellas County, Florida	10,000,000
Route 1 Corridor Program, American Samoa	500,000
Route 11—Connecticut Greenway Commission	1,000,000
Route 123 Ox Road—widening (Davis Dr to county line), Fairfax, Virginia	3,500,000
Route 14 Truck Bypass Project Huron, South Dakota	1,500,000
Route 15 Safety Improvements, Virginia	3,000,000
Route 20 North and Camden Ave Bypass, Buckhannon, West Virginia	235,000
Route 24 / I–40 Interchange, Massachusetts	1,000,000
Route 28/ Westfield Circle, New Jersey	200,000
Route 39 Widening—West Hanover Township Interchange, Pennsylvania	1,000,000
Route 52 Causeway Replacement and Somers Point Circle Elimination, New Jersey	1,000,000
Route 80 Paterson Interchange, New Jersey	400,000
Rt. 12 Corridor Improvement Project, NY	5,000,000
Russell St. Viaduct Replacement (MD295) Baltimore, Maryland	5,000,000
Saddle Road improvement, Hawaii	4,000,000
Safety Enhancement on Sherman Way between De Sota and Topanga Canyon, California	250,000
San Francisco, Muni, automatic vehicle location/GPS, California	2,000,000
Santa Cruz Branch Rail Line Acquisition, California	1,500,000
Santa Fe/El Dorado Commuter Rail Line, New Mexico	1,000,000
Sayville, New York, pedestrian improvements	100,000
SC Inroads ITS (SCDOT), South Carolina	1,500,000
Schuylkill Transportation System, Pennsylvania	500,000
Seward loading facility, Alaska	9,600,000
SH 6 at Waco, South Bosque River Bridge, McLennan County, Texas	4,000,000
SH121/Grandview Grade Separation—Jefferson County, Colorado	500,000
SH24 across Delta County, Texas	750,000
South & East Beltway System Construction, Nevada	3,000,000
Southbound Hurstbourne Lane, Kentucky	1,000,000
Southeast Main Avenue/20th/21st Street Railroad Grade Separation Project, Minnesota	1,000,000
Southern Beltway (I–215) upgrade project from Pecos Road to Stephanie Street and from Interstate 15 to Pecos Road, Clark County, Nevada	750,000
Southern Kentucky Intermodal Park, Kentucky	2,000,000
Southport and Fort Fisher Ferry Terminals, North Carolina	500,000
Southwestern Minnesota Regional Railroad Rehabilitation Project (MVRRA), Minnesota	2,000,000
Springfield Regional ITS, Missouri	1,500,000
SR 138 GA Hwy 20 Beautification Initiative, Rockdale County, Georgia	1,000,000
SR 67/605 In Saucier, Mississippi	3,000,000
SR 93/US 22 Connector Route (relocation), Ohio	1,000,000
SR104/Hood Canal Bridge east half replacement, Washington	3,000,000
SR–332 Reconstruction at I–69, Delaware County, Indiana	1,000,000
SR–99/Alaskan Way Viaduct & Seattle Seawall Replacement, Washington	2,000,000
State Highway 128, Carlsbad, New Mexico	1,200,000
State of Vermont, construction of Allen Point Ferry and ferry terminal facilities, Vermont	200,000
State Route 905, San Diego, California	1,000,000
Stillman College, Alabama	4,500,000
Suffolk Bike Trails, Virginia	500,000
Sumnter Intermodal Center, South Carolina	2,000,000
Sunnyside South First St. Reconstruction, Washington	1,500,000
Tank Destroyer Boulevard, Fort Hood, Texas	2,000,000
Tate's Bluff Arkansas Replacement Bridge, Arkansas	1,125,000
Tippecanoe/I–10 Interchange and medical center access, San Bernardino, California	3,000,000
Toll Road Repayment of Bonds, Kentucky	13,000,000

Project Name	Conference Total
Trail Extension at Mount Vernon Circle, Virginia	400,000
TRANSCOM regional architecture and TRANSMIT and IRVN projects, New Jersey	400,000
Tri-County Industrial Access Road—Corbin, Kentucky	850,000
Tri-State Highway/Rail Container Transfer Facility Study, West Virginia	75,000
Tucson Railroad Grade Crossing Project, Arizona	1,000,000
Tuscaloosa Downtown Revitalization Project, Alabama	5,000,000
Tuscaloosa Eastern Bypass, Alabama	10,000,000
Two Medicine River Bridge, Montana	2,000,000
U.S. Route 33, West Virginia	453,000
Umatilla Intermodal Facility, Oregon	2,800,000
Union Gap Valley Mall Blvd., Washington	1,500,000
University of Alabama at Huntsville	20,000,000
Urban Education Development Research and Retreat Center, Transportation Education and Career Institute, Pennsylvania	100,000
US 15 Market Street Bridge Replacement, Williamsport, Lycoming County, Pennsylvania	3,475,000
US 278 Corridor—Beaufort, South Carolina	2,000,000
US 287 Wiley Junction—Wiley, Connecticut	4,000,000
US 30—Mississippi River Bridge Study—Clinton County, Iowa	800,000
US 41 Upgrade—Henderson County, Kentucky	150,000
US 441/SR 7 Corridor Study—Broward County, Florida	1,000,000
US 45—Lake County, Illinois	1,500,000
U S 67—Rushville, Illinois	500,000
US 77/177 Four Lane, Oklahoma	900,000
US Highway 29 Singal Integration—Kannapolis, North Carolina	500,000
US route 200 Upgrade—Pendelton County, West Virginia	128,000
US Route 42 & US Route 35 Upgrade Study, Wilberforce, Ohio	250,000
US–14 Expansion and Improvements, Minnesota	1,500,000
US231 Southbound Tennessee River Bridge Replacement, Alabama	6,000,000
US–395 North Spokane Corridor, Washington	4,000,000
US–412, AR between Mount Home and Viola, Arkansas	1,500,000
US–412, Arkansas	1,750,000
US–5 Improvements from Derby to Barton, Vermont	1,000,000
US–63/I–70 Interchange Improvements, Missouri	10,000,000
US–81 & Highway 30 Arterial Improvements, Columbus, Nevada	2,461,000
US–93 Westside Kalispell Bypass Project, Montana	2,250,000
Valdez, Alaska, ferry and dock facilities	500,000
Ventura County Highway Video Camera Monitoring Project, California	500,000
Village of Newberry, downtown roadway improvement project, Michigan	500,000
Waipol Road, Hawaii	1,000,000
Waukee/West Des Moines I–80 Interchange, Iowa	2,500,000
Wayne County Road Information Management System (RIMS), Wayne County, Michigan	2,500,000
West Broadway Bridge, Paterson, New Jersey	350,000
Widening and rehabilitation of FM 2500, Polk County, Texas	850,000
Willow Road, Town of Lynn, Wisconsin	1,000,000
Winthrop commuter ferry project, Massachusetts	500,000
Wisconsin 29 and Marathon County Y intersection, Wisconsin	1,000,000
Wichita ITS (ITS Traffic/Emergency Operations Ctr and transit ITS), Kansas	4,000,000
Woodland Avenue Bridge Repair, Cleveland, Ohio	750,000
WSU Composite Applications for Ferries, Washington	1,000,000
WV Route 10 Logan County, West Virginia	8,000,000
WV Route 9 Jefferson and Berkeley Counties, West Virginia	10,000,000

Sec. 331 prohibits funds for engineering work related to an additional runway at New Orleans International Airport, as proposed by the House. The Senate proposed no similar provision.

Sec. 332 prohibits funds for the design or construction of a light rail system in Houston, Texas, as proposed by the House. The Senate proposed no similar provision.

Sec. 333 rescinds $90,000,000 of funds provided in section 101(a)(2) of Public Law 107–42, as proposed by the Senate. The House included no similar provision.

Sec. 334 requires a National Academy of Sciences study regarding the shipment of spent nuclear fuel from research nuclear reactors, as proposed by the Senate. The House included no similar provision.

Sec. 335 prohibits funds in this Act to be used to adopt guidelines or regulations requiring airport sponsors to provide the Transportation Security Administration or the Federal Aviation Administration ''without cost'' buildings, maintenance, or space for TSA or FAA services as proposed by both the House and Senate. The prohibition does not apply to negotiations between TSA or FAA and airport sponsors concerning ''below market'' rates for such services or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

Sec. 336 designates the city of Norman, Oklahoma, to be considered part of the Oklahoma City Transportation Management Area for fiscal year 2003, as proposed by both the House and the Senate.

Sec. 337 allows the FAA to accept funds from an airport sponsor for specific staffing purposes to expedite the environmental review process, as proposed by the Senate. The House included no similar provision.

Sec. 338 allows grants for the construction of an air traffic control tower and the acquisition or installation of equipment to be used in the tower at Double Eagle II Airport, New Mexico, as proposed by the Senate. The House contained no similar provision.

Sec. 339 allows States to use funds provided under section 402 of title 23, U.S.C. to produce and place highway safety public service messages related to seat belt usage and impaired driving. The provision allocates: $10,000,000 for innovative seat belt projects under Section 157, $10,000,000 for use by the States to purchase advertising for national mobilizations under Section 163, and $1,000,000 for evaluation of alcohol-impaired driving program messages under Section 163. The House and Senate bills contained similar provisions.

Sec. 340 modifies a provision from the fiscal year 2002 appropriations Act regarding the Coast Guard Yard at Curtis Bay, Maryland, and other Coast Guard specialized facilities, as proposed by the Senate. The House proposed no similar provision.

Sec. 341 prohibits funds for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification as proposed by both the House and the Senate.

Sec. 342 prohibits funds from being used to issue, implement, or enforce a regulation that diminishes or revokes an exemption authorized under section 345 of the National Highway System Designation Act of 1995, as proposed by the House. The Senate included no similar provision.

Sec. 343 rescinds unexpended balances of the Local Rail Freight Assistance program of $690,287 and makes $690,287 available to the State of Iowa for a rail rehabilitation project on the Iowa Northern Railway.

Sec. 344 appropriates funding and enables the Secretary of Transportation to make grants for surface transportation projects.

Sec. 345 amends section 1602 of TEA–21 (112 Stat. 272) to allow changes to projects in Louisiana, Pennsylvania, New York, Alabama and Texas; authorizes an eligibility change for Alaska under FTA's section 5309 program; transfers funds in California and Texas contained in P.L.103–331; amends P.L. 97–468 relating to the Alaska Railroad; and modifies agreements in California relating to the financing of toll roads, as proposed by the House. The Senate included no similar provisions.

Sec. 346 prohibits the Federal Motor Carrier Safety Administration from developing or implementing a pilot program to allow commercial drivers 18 to 20 years old to operate the trucks and buses of motor carriers in interstate commerce, as proposed by the House. The Senate included no similar provision.

Sec. 347 amends the Intermodal Surface Transportation Efficiency Act of 1991 to extend the exemption from the federal axle weight restrictions to include over-the-road buses, as proposed by both the House and the Senate.

Sec. 348 extends a provision from the fiscal year 2002 appropriations Act regarding the safety of cross-border trucking between the United States and Mexico, including the annual report on the safety and security of Mexico-domiciled motor carriers operating in the United States, as proposed by the House. The Senate included a similar provision.

Sec. 349 prohibits funds in this Act from being transferred without express authority, as proposed by the House. The Senate included no similar provision.

Sec. 350 requires Amtrak to submit an annual report to the appropriate Congressional Committees detailing their per passenger operating loss for each rail line, as proposed by the House. Amtrak's grant request shall include the following appendices: (1) per passenger operating loss by route; and (2) each

route's net loss when comparing the route's revenues opposite its full operating costs, capital costs, and depreciation costs using Generally Accepted Accounting Principles (GAAP).

Sec. 351 modifies House language amending language in the Aviation and Transportation Security Act, to allow the use of State and local law enforcement officers to fulfill Federal responsibilities at airports. The Senate included no similar provision.

Sec. 352 modifies a House provision relating to stadium overflights. The Senate included no similar provision. The conferees note that, under the modified House provision, the Secretary may issue waivers to certain aircraft including blimps subject to the conditions specified in the provision.

Sec. 353 restricts procurement of Coast Guard ships unless they are in compliance with the Buy American Act, as proposed by the House. The Senate included no similar provision.

Sec. 354 amends section 13703 of title 49, United States Code, by allowing the Surface Transportation Board to approve applications from truck rate bureaus seeking to publish national rates, as proposed by the House. The Senate included no similar provision.

Sec. 355 restricts funds to apply or enforce a regulatory requirement for strengthening flight deck doors until further review by the Transportation Security Administration, as proposed by the House. The Senate included no similar provision.

Sec. 356 amends the non-Federal match requirements for the Alaska Railroad, as proposed by the Senate. The House included no similar provision.

Sec. 357 is a provision regarding the Hoover Dam Bypass Bridge, as proposed by the Senate. The House contained no similar provision.

Sec. 358 prohibits funds in the Act to any person or entity convicted of violating the Buy American Act, similar to that proposed by the Senate. The House contained no similar provision.

Sec. 359 retains a provision proposed by the Senate allowing discretionary bridge funding to be used for historic covered bridges. The House contained no similar provision.

Sec. 360 modifies a provision requiring quarterly reports on major Coast Guard acquisitions and the agency's mission hour emphasis, as proposed by the Senate. The House contained no similar provision.

Sec. 361 amends Section 1503 of P.L. 105–178 relating to Section 1101(a)(9) and Section 1221, similar to that proposed by the Senate. The House contained no similar provision.

Sec. 362 reduces the funds provided for the Working Capital Fund, similar to that proposed by the Senate. The House contained no similar provision.

Sec. 363 grants discretionary authority to the Secretary of Transportation to waive certain requirements included in a conveyance for an airport in Gadsden, AL, similar to that proposed by the Senate. The House contained no similar provision.

Sec. 364 rescinds funds for the Value Pricing Pilot Program.

Sec. 365 modifies 101 Stat. 194; 109 Stat. 607 and 105 Stat. 2038 to allow changes to projects in Port of Lake Charles, Louisiana, as proposed by both the House and the Senate.

Sec. 366 allows funds from the surface transportation grants to be available to the Secretary to make grants to the Kentucky Turnpike Authority to pay the debt on bonds issued by the Kentucky Turnpike Authority before January 1, 2003, for the Daniel Boone Parkway, Kentucky, and the Cumberland Parkway, Kentucky.

Sec. 367 authorizes the issuance of letters of intent for airport security improvements.

Sec. 368 amends section 342 in the Department of Transportation and Related Agencies Appropriations Act, 2002 to redesignate the ''passenger only ferry to serve Kitsap County-Seattle'' to ''ferry/tunnel project in Bremerton, Washington'' as proposed by the Senate. The House contained no similar provision.

Sec. 369 amends section 343 in the Department of Transportation and Related Agencies Appropriations Act, 2002 to redesignate the ''Passenger only ferry to serve Kitsap and King Counties to Seattle'' to ''ferry/tunnel project in Bremerton, Washington'' as proposed by the Senate. The House contained no similar provision.

Sec. 370 amends House language to make construction of contract towers an eligible expense of the Airport Improvement Program.

Sec. 371 appropriates $3,500,000 to maintain operations at Midway Island airfield for not less than one year, as proposed by the Senate. The House included no similar provision.

Sec. 372 amends Section 145 (c) of P.L. 107–71, similar to that proposed by the Senate. The House contained no similar provision.

Sec. 373 amends Section 1602 of TEA–21 (112 Stat. 316) to allow changes to projects in Susquehanna Greenway, Maryland, as proposed by the Senate. The House included no similar provision.

Sec. 374 modifies section 1602 of TEA–21 (112 Stat. 305) to allow changes to projects in New York City, NY.

Sec. 375 modifies a project in Public Law 101–516 to allow changes to a project in Pennsylvania.

Sec. 376 modifies a project in Public Law 102–143 to allow changes to a project in Pennsylvania.

Sec. 377 transfers $2,000,000 to the Federal Transit Administration's Formula Grant account for the Jersey City Pier redevelopment and terminal construction project.

The conference agreement deletes the House provision that ensures that emergency rail service is continued if Amtrak should cease operation. The Senate included no similar provision.

The conference agreement deletes the House provision regarding the purchase of explosive detection systems. The Senate included no similar provision.

The conference agreement deletes the House provision that encourages the Secretary of Transportation and the FAA to implement a plan between the State of Illinois and the City of Chicago for the purpose of modernizing O'Hare International Airport, continuing operation of Meigs Field, and utilizing existing airports to help relieve congestion. The Senate included no similar provision.

The conference agreement deletes the Senate provision that directs the Secretary of the Department of Transportation to approve the use of national highway system and surface transportation funds for construction of noise barriers in Georgia. The House included no similar provision.

The conference agreement deletes the House provision relating to Medicare eligible retiree health care funds, as it is contained elsewhere in the bill. The Senate included no similar provision.

The conference agreement deletes the House provision relating to a proposed rule on statewide and metropolitan transportation planning. The Senate included no similar provision.

The conference agreement deletes the House provision that amended the Air Transportation Safety and System Stabilization Act. The Senate included no similar provision.

The conference agreement deletes the Senate provision relating to a municipal dock in Escanaba, Michigan. The House included no similar provision.

The conference agreement deletes the Senate provision relating to rebates, refunds, incentive payments and fees received by the Department of Transportation. The House included no similar provision.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates and the House and Senate bills for 2003 follow:

[In the thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$24,376,970
Budget estimates of new (obligational) authority, fiscal year 2003	21,345,680
House bill, fiscal year 2003	21,797,930
Senate bill, fiscal year 2003	22,576,162
Conference agreement, fiscal year 2003	22,159,095
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−2,217,875
Budget estimates of new (obligational) authority, fiscal year 2003	+813,415
House bill, fiscal year 2003	+361,165
Senate bill, fiscal year 2003	−417,067

DIVISION J

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS, 2003

The conference agreement on the Treasury and General Government Appropriations Act, 2003, incorporates some of the language and allocations set forth in House Report 107–575 and some of the language and allocations set forth by the Senate explanatory statement as delineated in the Congressional Record of January 15, 2003, pages S765–S794. The language in House Report 107–575 and the Congressional Record of January 15, 2003, pages S765–S794, should be complied with unless specifically addressed in the accompanying statement of managers.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Treasury, Postal Service, and General Government and the Senate Subcommittee on Treasury and General Government.

In a number of instances, House Report 107–575 and the explanatory statement in the Congressional Record of January 15, 2003, pages S765–S794, require agencies to report to the Committees by specific dates that have now passed. In those instances, and unless alternative dates are provided by the committee of conference, agencies are directed to provide these reports to the House and Senate Committees on Appropriations not later than 60 days after enactment of this Act.

REPROGRAMMING AND TRANSFER OF FUNDS GUIDELINES

The conference agreement includes the following reprogramming guidelines that shall be complied with by all agencies funded by the Treasury and General Government Appropriations Act, 2003:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or a transfer of funds, or use of

unobligated balances, which are submitted after the close of the third quarter of the fiscal year, June 30;

2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. For agencies, departments, or offices receiving appropriations in excess of $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $500,000 or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

4. For agencies, departments, or offices receiving appropriations less than $20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of $50,000, or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

5. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

6. For any action that would result in a major change to the program or item that is different than that presented to and approved by either of the Committees, or the Congress, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted; and,

8. For any action where funds earmarked by either of the Committees for a specific activity are in excess of the project or activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted.

Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $189,201,000 instead of $187,241,000 as proposed by the House and $191,887,000 as proposed by the Senate. The conferees agree to non-recur $2,854,000 of fiscal year 2002 costs, to transfer $446,000 out of this account to the Financial Crimes Enforcement Network, and to a business strategy adjustment of $599,000 as proposed by the House. The conferees agree to provide $747,000 for overseas inflation costs as proposed by the Senate and $1,213,000 for full funding of fiscal year 2003 operations. The conferees agree to include a provision as proposed by the Senate establishing minimum funding and personnel levels for the Office of Foreign Assets Control ($21,206,000 and 120 full time equivalent positions), and agree to provide a minimum of $8,500,000 for the Office of Enforcement. The conferees agree to a new general provision (Section 124) as proposed by the Senate regarding the Office of Foreign Assets Control that requires all travel license applications to be resolved within 90 calendar days and all travel license denials to include written notification.

CERTIFICATE-BASED INTERNET SECURITY

The conferees are aware of the need for security in permitting secure Internet communication for Customs, Secret Service, and other Treasury law enforcement agents to prevent cyber attacks and protect against identity theft in key information systems. The conferees therefore strongly support developing capability for certificate-based Internet security projects to provide standards-based e-mail encryption and digital signature capabilities; permit interoperability with the Federal Bridge and other government public key infrastructure systems and applications; demonstrate proven scalability; support multiple platforms; and include automated, secure key and certificate management. The conferees understand that the Department of the Treasury believes this is a vital priority. If funds become available in other Treasury accounts during fiscal year 2003, the conferees are likely to look favorably on a reprogramming request that would provide funding for this critical initiative.

COUNTERFEIT CURRENCY TECHNOLOGY

The conferees agree that anti-counterfeiting measures for currency are a critical component in the war on terrorism and in promoting homeland security. The conferees strongly concur with Senate guidance that directs the Department of the Treasury to test the utility of using new technologies to help identify the size of the universe of counterfeit currency and better understand the circulation patterns of currency and report back within 120 days of the enactment of this Act. The conferees also encourage the Treasury Department to consider, for future currency changes, the best available anti-counterfeiting technology and security devices for currency, including such features as optically variable devices, alternative substrates, distinctive fibers, high-technology inks, and new offset printing techniques.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $65,628,000 instead of $68,828,000 as proposed by the House and the Senate. The reduction from the requested level is to be applied to the integrated Treasury (wireless) network. The conferees agree to include a provision as proposed by the Senate restricting the use of funds to supplement the Internal Revenue Service.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees agree to provide $35,736,000 instead of $35,424,000 as proposed by the House and the Senate. The conferees agree to include a provision regarding reception and representation expenses as proposed by the Senate and to include $312,000 for full funding of fiscal year 2003 operations.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conferees agree to provide $125,011,000 instead of $123,962,000 as proposed by the House and the Senate. The conferees agree to include $1,049,000 for full funding of fiscal year 2003 operations.

AIR TRANSPORTATION STABILIZATION PROGRAM

The conferees agree to provide $6,041,000 as proposed by the House and the Senate.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conferees agree to provide $28,932,000 instead of $32,932,000 as proposed by the House and $30,932,000 as proposed by the Senate.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide, subject to authorization, $2,000,000 as proposed by the Senate instead of $4,000,000 as proposed by the House. The conferees also agree to include the other provisions as proposed by the Senate and not those proposed by the House. The conferees direct that none of these funds are to be used for projects that (1) provide real property, automated teller machines, or any other equipment for use by any financial institution, (2) incur costs in excess of $100 for each participant who is expected to establish an account, or (3) does not provide at least $0.50 in non-federal matching funds for each $1.00 received from the Expanded Access to Financial Services account.

COUNTERTERRORISM FUND

The conferees agree to provide $10,000,000 instead of $33,000,000 as proposed by the House and $20,000,000 as proposed by the Senate. The conferees note that this fund currently carries a balance in excess of $40,000,000.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The conferees agree to provide $51,752,000 instead of $51,444,000 as proposed by the House and $50,517,000 as proposed by the Senate. This includes $481,000 to cover non-pay inflation, $308,000 to fully fund fiscal year 2003 operations, and $446,000 to reflect the adjustment of Foreign Terrorist Asset Tracking Center support from the Office of Foreign Assets Control to the Financial Crimes Enforcement Network.

USA PATRIOT ACT IMPLEMENTATION

The Financial Crimes Enforcement Network (FinCEN) is tasked with implementing a number of critical mandates under the USA PATRIOT Act aimed at thwarting terrorists from financing their activities, and preventing criminals from laundering criminal profits. These include establishing the PATRIOT Act Communications System (PACS), providing expanded access for federal agencies to the Gateway system; and implementing information exchanges between government and financial institutions. Although the Administration did not request funding for these, the conferees direct the Department to provide $2,500,000 from the super surplus of the Treasury Forfeiture Fund to FinCEN for these activities to cover fiscal year 2003 costs.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

The conferees agree to provide $134,986,000 instead of $152,951,000 as proposed by the House and $126,660,000 as proposed by the Senate. This includes: $595,000 for non-pay inflation; $631,000 to fully fund fiscal year 2003 operations; $5,500,000 to fund increased training workload for homeland security; $2,700,000 for the Cheltenham training center; $1,000,000 for the National Center for State and Local Training and $1,000,000 for the Rural Crime and Justice Center at Minot State University to expand on the current Small Town and Rural Law Enforcement training series in the Northern Plains States and related rural law enforcement research; $500,000 to Minot State University to assess the effectiveness of the Federal Law Enforcement Training Center vehicle pursuit training program; and $750,000 to work with the Southwest Texas State University ALERRT program.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

The conferees agree to provide $36,000,000 instead of $31,800,000 as proposed by the House and $32,029,000 as proposed by the Senate. This includes: $71,000 for non-pay inflation; $5,000,000 for acquisition and modification of facilities for the Glynco campus to

address increased homeland security training workload; $3,400,000 to complete the vehicle training course at the Cheltenham campus; and $4,200,000 for a new classroom building at the Artesia campus.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide $107,576,000 as proposed by the Senate instead of $110,594,000 as proposed by the House.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $222,078,000 instead of $220,664,000 as proposed by the House and the Senate. The conferees agree to include $1,414,000 for the full funding of fiscal year 2003 operations.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

The conferees agree to provide $886,430,000 instead of $888,430,000 as proposed by the Senate and $891,034,000 as proposed by the House. This includes $3,000,000 for an explosives enforcement initiative.

MANAGEMENT AND TECHNOLOGICAL ENHANCEMENTS

The conferees endorse the Senate explanatory language regarding management and technological enhancements at the Bureau of Alcohol, Tobacco and Firearms (ATF) National Licensing Center, Imports Branch, and National Firearms Act Branch. The conferees also note that $2,500,000, which was provided in fiscal year 2002, will continue to be available for this ongoing effort.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $2,527,155,000, instead of $2,496,865,000 as proposed by the House and $2,501,488,000 as proposed by the Senate. This includes: $18,377,000 for non-pay inflation; $15,115,000 to fully fund fiscal year 2003 operations; $150,000 for the Vermont World Trade Center, and $750,000 for the Center for Agricultural Policy and Trade Studies. The conferees also include: $3,000,000 for port and nonintrusive inspection technology research and development; $1,250,000 for steel tariff enforcement; $1,000,000 for a curriculum for canine detection of chemical and biological threats; $12,000,000 for the container security initiative; $1,000,000 for a bulk outbound currency initiative; $1,400,000 to expand the intellectual property rights initiative; $200,000 for a University of Texas border protection management program; and $125,000 for a smart border technology program at the Texas Transportation Institute.

NORTHERN BORDER SECURITY

The conferees recognize that the process of strengthening the Northern Border is not complete and that further adjustments in personnel assignments and resource allocations will be necessary. There have been long-standing concerns about the condition and infrastructure needs of the ports of entry along the Northern Border. The conferees direct the Customs Service to work closely with GSA in the development of its construction plans and budgets, and to ensure that all current and prospective requirements, particularly those recently identified, will be met.

The conferees commend the actions of the United States Customs Service to strengthen America's border with Canada. The conferees support the full implementation of the 30–point ''Smart Border Accord,'' and other ongoing initiatives in furtherance of securing the flow of people and goods, hardening our infrastructure, and in sharing mutual enforcement objectives with Canada. Implementation of programs such as pre-clearance of U.S.-bound traffic, ''reverse inspections,'' hardening of remote ports, and expanded information sharing promises increased security and important trade benefits on the Northern Border. Additionally, the conferees encourage Customs to expand use of ''smart'' processing and inspection technologies such as the NEXUS program. This joint United States-Canadian pilot is a dedicated commuter lane system that allows Customs and the Immigration and Naturalization Service to rapidly identify and clear pre-registered frequent travelers. The conferees urge Customs to implement an expansion of the program expeditiously as an integral part of a layered security framework that both secures our mutual border and facilitates this unique trade relationship.

INTELLECTUAL PROPERTY RIGHTS INITIATIVE AND CUSTOMS CYBERSMUGGLING CENTER

The conferees have included funding for the continued operation of the Intellectual Property Rights (IPR) Center, which received $5,000,000 in fiscal year 2002, as well as to annualize the costs of 13 additional full-time equivalent positions. The conferees also continue funding for the Customs Cybersmuggling Center (C3). The conferees have also included an additional $1,400,000 to expand the IPR Center for domestic and international programs, staffing, as well as continued operation of the IPR Coordination Center. The conferees expect the Customs Service will enhance the operations of the C3 and the IPR Center to combat intellectual property rights violations, and support law enforcement training of host country officials by Customs overseas attachés. The conferees encourage the IPR Center to use a portion of its funds to establish a clearinghouse for intellectual property rights information gathered from other federal as well as State and local agencies.

STRENGTHENED ENFORCEMENT OF U.S. TRADE LAWS PERTAINING TO STEEL

The conferees support Customs enforcement of U.S. trade laws, to include the President's steel 201 proclamation of March 5, 2002, and all antidumping and countervailing duty orders related to steel. The conferees also understand that Customs is responsible for enforcing and monitoring imports of wire rods and certain line pipe products previously covered by a 201 remedy decision. The conferees are aware that Customs personnel assigned to enforce antidumping and countervailing duty orders, including import specialists, inspectors and agents, have been increasingly burdened, and many have been reassigned to meet homeland security priorities. The conferees understand that Customs would require additional positions to fully enforce this set of trade laws, and that there are serious deficiencies in the level of training and specialized knowledge of Customs inspectors and import specialists who deal with steel tariff matters. The conferees therefore provide $1,250,000 to permit Customs, working with the steel manufacturing and trading community, to identify and apply the resources and training required to carry out these responsibilities. Such efforts may include utilizing steel industry experts through a series of national training seminars, which could be made available to members of the trade and brokerage community who play a key role in classifying imported goods for Customs processing. The funding may also be used to assign more import specialists, inspectors, or agents to steel trade enforcement. The conferees recommend that new steel import specialists be assigned to ports with the greatest volume of steel imports. In addition, the conferees urge that the U.S. Customs Service enforce all steel-related laws and regulations, including the President's steel 201 Proclamation and all existing antidumping and countervailing duty orders, to the fullest extent of the law. The conferees therefore direct Customs to report not later than 60 days after enactment of this Act on steps it has taken to improve training for steel tariff implementation and to enhance enforcement efforts and manpower, including data on types and value of illegal imports seized and penalties imposed.

CONTAINER SECURITY INITIATIVE

The Customs Service announced its Container Security Initiative (CSI) on January 17, 2002, a critical effort to protect U.S. seaports and maritime commerce. CSI will allow targeting and screening of potentially dangerous cargo prior to its arrival at U.S. ports. In March 2002 Customs began to implement CSI in three Canadian ports; to date, 21 foreign ports, including 18 of the world's top ''mega-ports'', have agreed to participate. The CSI will entail staffing at each site, as well as investments in non-intrusive inspection technology or networking technology. The conferees include $12,000,000 to continue this effort in fiscal year 2003.

The conferees are aware that CSI will require a data system that permits the transfer of container images, other sensor data, and relevant manifest data from foreign seaports of origin to Customs offices at the U.S. port of destination and to the Customs container management center. The conferees would expect this network to be linked with the Treasury Secure Data Network and capable of processing and sharing similar domestic data as well. The conferees direct Customs to report to the Committees on Appropriations not later than 60 days after enactment of this Act on its plans for developing and implementing such a network.

NON-INTRUSIVE INSPECTION TECHNOLOGY

The Administration's request includes $45,700,000 in new investments in non-intrusive inspection and other security technology, in addition to annualizing costs for investments made in fiscal year 2002 to close gaps in land and seaport security identified after September 11th. The conferees include an additional $3,000,000 for these efforts, to be used for technology acquisition and support of related research and development, and to evaluate and prototype next-generation technology to screen and detect contraband, explosives, radioactive materials, and potential chemical and biological weapons, with a focus on applications at major ports of entry. The conferees strongly encourage the Customs Service to maintain its policy of seeking to apply the most advanced and cost-effective technology possible, and build into its planning a life-cycle approach to replacing and upgrading such capability to meet ever-increasing needs for greater performance.

In general, the conferees expect Customs to regularly review technologies that might have applications to Customs' inspection needs, and evaluate the value for Customs' mission that might be offered by technology, such as computed tomography (CT), which is being employed for airport security by the Transportation Security Administration (TSA); the Total Asset Visibility Network employed by the Defense Department; or neutron analysis technology. Customs should emphasize evaluating inspection technologies that do not require human evaluation and analysis, and work closely with the Departments of Defense and Energy agencies such as the Defense Threat Reduction Agency and the National Nuclear Security Administration on placement of systems to detect nuclear, biological and chemical threats. The conferees direct Customs to report not later than 120 days after enactment of this Act on its implementation of this program.

PEACE BRIDGE JOINT BORDER FACILITY

The conferees endorse the Senate explanatory language calling for the U.S. Customs Service, in consultation with the Immigration and Naturalization Service and the Department of Homeland Security to report within 180 days of enactment of this Act detailing how a joint United States/Canadian border inspection facility could be established on the Canadian side of the Peace Bridge in Fort Erie, Ontario.

CHILD PORNOGRAPHY

The conferees direct the Customs Service to continue providing $100,000 of available funds to promote public awareness for the child pornography tipline, including ongoing efforts to make children aware of the tipline, in fiscal year 2003. The conferees recommend that the Customs Service continue to coordinate this effort with the National Center for Missing and Exploited Children and the U.S. Postal Service to ensure that the publicity is diversified and effective.

FORCED CHILD LABOR

The conferees are pleased with the work of the Customs Service to enforce section 307 of the Tariff Act of 1930 as it relates to forced and indentured child labor. The conferees believe that continued focus on enforcement of the ban on importation of goods made by forced child labor is critical and that Customs needs to continue this effort through aggressive investigation and enforcement of the applicable laws. The conferees direct Customs to expend an additional $4,000,000 on this important enforcement effort.

DAIRY PROTEIN BLENDS

The conferees are concerned with the impact of imported milk protein concentrates on domestic milk use, resulting in historically low milk prices paid to dairy producers. The Customs Service is encouraged to make their final decision on reclassification of dairy protein blends within 30 days of the enactment of this Act and report the results to the Committees on Appropriations.

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $3,000,000 as proposed by the House and the Senate.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

The conferees agree to provide $181,829,000 instead of $190,000,000 as proposed by the House and $177,829,000 as proposed by the Senate. This includes $7,000,000 for the Customs National Aviation Center and $4,000,000 to support other critical operational and maintenance needs and modernization requirements such as the Air and Marine Interdiction Coordination Center, development of tactical data link and display capability, enhanced electro-optical and infrared capability, and replacement of critical fixed wing and helicopter platforms.

AIR AND MARINE PROGRAM MODERNIZATION AND ORGANIZATION REVIEW

The conferees are aware that Customs had been conducting a comprehensive review of the missions, operations, structure, and resources of the Air and Marine Interdiction Division (AMID). As Customs conducts this review, the conferees strongly urge it to take full account of the impact of its various and expanding missions in order to achieve an optimal level of readiness and operational effectiveness. Particular attention should be paid to organization, infrastructure, aircraft, vessels, equipment, staffing and funding.

The conferees also expect Customs to make the most effective use of existing resources to carry out its missions. Replacement or other modernization of Customs assets is expensive and must be carried out in the context of an orderly program to assess requirements for necessary platforms based on mission and operational needs, including operating and maintenance costs. The conferees expect Customs to carefully evaluate the impact of maintenance contracts on meeting mission needs, and how the form such contracts take affects such goals: to maximize operational availability and capability of aircraft and marine vessels; to rationalize time and logistics required for system maintenance and support; and to achieve cost effectiveness. The conferees direct the Customs Service to submit the findings of its review upon its completion, including those relating to maintenance and support, but in any event not later than 60 days after enactment of this Act.

In the course of preparing the report, the conferees request that Customs describe how its modernization plan will address (1) implementing airborne law enforcement surveillance and support capabilities along the Northern Border; (2) acquiring platforms for Northern Border Surveillance Aircraft; (3) replacing or modifying existing Citation aircraft; and (4) meeting its requirements for light enforcement and medium-lift helicopters. Customs will continue to implement the Western Hemisphere Drug Elimination Act (WHDEA) and the conferees include the $35,764,000 requested by the Administration. The conferees provide an additional $4,000,000 that may be used for system acquisition and support, and expect plans for use of this funding to be included in the modernization plan and detailed in the above mentioned report.

AUTOMATION MODERNIZATION

The conferees agree to provide $435,332,000 as proposed by the Senate instead of $439,332,000 as proposed by the House.

AUTOMATED COMMERCIAL ENVIRONMENT

The conferees believe that strong oversight of the Automated Commercial Environment (ACE) program is essential to ensure that Customs fulfills its expenditure and development plans. Periodic review of investment increments associated with capital planning and architecture development is consistent with best practices for information technology procurement. The conferees therefore direct that Customs provide quarterly reports to the Committees on Appropriations until ACE becomes functional.

The conferees also direct Customs to submit requests for release of funds, including a cost-benefit analysis, in a timely manner, but in no case less than 30 days before the anticipated need for the funds.

WEST COAST SECURED CORRIDOR INITIATIVE

The conferees are aware of efforts by the Washington State Office of Trade and Economic Development, the Washington State Department of Transportation, and the Cascadia Project of the Discovery Institute to establish a West Coast Secured Corridor Initiative. This initiative will establish a forum for coordinating the development and implementation of practices vital to the enhancement of homeland security and the secured mobility of goods and people along the West Coast, and that will ensure interoperability of Customs and other regulatory protocols for transport between Mexico, the United States, and Canada. The conferees strongly support collaborative efforts between Federal, State and local governments and non-profit organizations that can facilitate both security and the smooth flow of commerce along our borders. The Customs Service should evaluate the benefits of ensuring that development and deployment of ACE and the International Trade Data System (ITDS) takes into account the efforts of the Initiative to ensure homeland security and secured mobility of goods and people along the West Coast.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The conferees agree to provide $34,900,000 for capital investments for circulating coinage and protective services as proposed by the House and the Senate.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The conferees agree to provide $190,068,000 instead of $168,673,000 as proposed by the House and $191,073,000 as proposed by the Senate. The conferees agree to a reduction of $2,000,000 to the savings bond marketing program; the funds that remain for savings bond marketing are to provide for the orderly termination of this effort during fiscal year 2003 consistent with the plans of the Department of the Treasury. The conferees direct the Department to report to the Committees on Appropriations within 30 days of the enactment of this Act with details of how they will conduct this orderly termination of the savings bond marketing program. The conferees further agree to include a provision to assist with the termination of the savings bond marketing program; this provision extends the availability of $4,000,000 for two years in order to cover certain costs such as severance requirements and workman compensation payments that will extend beyond fiscal year 2003. The conferees also agree to provide $995,000 for the full funding of fiscal year 2003 operations not associated with the savings bond marketing program.

INTERNAL REVENUE SERVICE

The conferees recognize the fiscal challenges that face the Internal Revenue Service and direct that base operations be funded before embarking upon any new initiatives.

PROCESSING, ASSISTANCE, AND MANAGEMENT

The conferees agree to provide $3,955,777,000 as proposed by the Senate instead of $3,955,077,000 as proposed by the House. The conferees agree to include a provision that provides $7,000,000 for low-income taxpayer clinic grants, as proposed by the Senate.

TAX LAW ENFORCEMENT

The conferees agree to provide $3,729,072,000 as proposed by the House and the Senate. The conferees agree to include a provision modified from one proposed by the Senate that not less than $60,000,000 shall be used to combat abusive tax shelters.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

The conferees agree to provide $146,000,000 as proposed by the House and the Senate.

INFORMATION SYSTEMS

The conferees agree to provide $1,632,444,000 as proposed by the House and the Senate.

BUSINESS SYSTEMS MODERNIZATION

The conferees agree to provide $366,000,000 instead of $436,000,000 as proposed by the House and the Senate.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

The conferees agree to provide $70,000,000 instead of no appropriation as proposed by the House and the Senate. This new account is to be used to implement the health insurance tax credit program included in the Trade Act of 2002 (Public Law 107–210).

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Section 101. The conferees agree to continue a provision that allows the transfer of 5 percent of any appropriation made available to the IRS to any other IRS appropriation subject to Congressional approval.

Section 102. The conferees agree to continue a provision that requires the IRS to

maintain a training program in taxpayers' rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. The conferees agree to continue a provision that requires the IRS to institute and enforce policies and practices that will safeguard the confidentiality of taxpayer information.

Section 104. The conferees agree to continue a provision with respect to the IRS 1–800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

The conferees agree to provide $1,029,150,000 instead of $1,017,892,000 as proposed by the House and $1,010,817,000 as proposed by the Senate. This includes $6,824,000 for non-pay inflation, $6,475,000 to fully fund fiscal year 2003 operations, and $4,200,000 to fund annualization of the costs of the workload rebalancing and retention initiative. The conferees also provide $1,633,000 for forensic support to the National Center for Missing and Exploited Children (NCMEC), and $4,583,000 for grants to NCMEC, including $300,000 for support of the Web-Wise Kids program.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

The conferees agree to provide $3,519,000 as proposed by the House and the Senate.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 110. The conferees agree to continue a provision that requires the Secretary of the Treasury to comply with certain reprogramming guidelines when obligating or expending funds for law enforcement activities.

Section 111. The conferees agree to continue a provision that allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the Department of State for health and medical services for Treasury employees in overseas locations.

Section 112. The conferees agree to continue a provision that requires the expenditure of funds so as not to diminish efforts under section 105 of the Federal Alcohol Administration Act.

Section 113. The conferees agree to continue a provision that authorizes transfers, up to 2 percent, between law enforcement appropriations under certain circumstances.

Section 114. The conferees agree to continue a provision that authorizes the transfer, up to 2 percent, between the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of Public Debt appropriations under certain circumstances.

Section 115. The conferees agree to continue a provision that authorizes transfer, up to 2 percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 116. The conferees agree to continue a provision regarding the purchase of law enforcement vehicles.

Section 117. The conferees agree to continue a provision that prohibits the Department of the Treasury and the Bureau of Engraving and Printing from redesigning the $1 Federal Reserve Note.

Section 118. The conferees agree to continue a provision that provides for transfer from and reimbursements to the Salaries and Expenses appropriation of the Financial Management Service for the purposes of debt collection.

Section 119. The conferees agree to continue and modify a provision that extends the pilot project for designated critical occupations for one additional year.

Section 120. The conferees agree to continue a provision that requires the approval of the authorizing committees for the construction and operation of any museum by the U.S. Mint.

Section 121. The conferees agree to continue the provision limiting the use of funds for the production of Customs declarations that do not inquire whether the passenger had been in the proximity of livestock.

Section 122. The conferees agree to a new provision that directs the Federal Law Enforcement Training Center to establish an accrediting body to set standards for measuring and assessing the quality and effectiveness on Federal law enforcement training.

Section 123. The conferees agree to a new provision that extends the Treasury Franchise Fund through October 1, 2004.

Section 125. The conferees agree to a new provision that allows funds in the Stennis Fund to be invested in certain par-value securities.

Section 126. The conferees agree to a new provision that allows funds in the Madison Funds to be invested in certain par-value securities.

Section 127. The conferees agree to a new provision regarding Customs Service reverse inspections as proposed by the Senate, with technical modifications.

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The conferees agree to provide $60,014,000, as proposed by the House and Senate. Of this amount $31,014,000 is provided as an advance appropriation for free mail to the blind and overseas voters, as proposed by the House and Senate. The conferees include an additional $29,000,000 for prior year reimbursement shortfalls.

POSTAL SERVICE MARKETING EFFORTS

The conferees are aware that the Postal Service has entered into a four-year $25,000,000 contract to sponsor a cycling team to provide the Postal Service with marketing exposure. This expenditure comes at a time when the Postal Service is suffering from long-term declines in mail volume and net income, as well as the huge added costs of guarding against biological terrorist attacks through the U.S. mail system. The conferees are concerned that the Postal Service has incurred this $25,000,000 obligation even though no proof has been offered that this sponsorship will result in increased revenues. The conferees urge the Postal Service to exercise far better judgment in making future investment decisions in favor of those efforts that can provide tangible results.

POSTAL SERVICE PRINTING

The conferees are aware that significant cost savings can be achieved by utilizing electronic commerce technology in the ordering and procurement of supporting goods and services, such as printing requirements. The conferees encourage the Postal Service to use e-commerce means in the purchasing of its printing, including testing the feasibility of procuring printing through e-commerce means after assessing the market and conducting a test or limited pilot project, if the test or project can include a guaranteed cost savings feature and acceptable return on investment (ROI). If this test or limited pilot yields a cost savings and acceptable ROI for the Postal Service, the conferees encourage the Postal Service to expand its use of e-commerce means in the procurement of its printing needs. The conferees request a report from the Postal Service on any such test or pilot project undertaken no later than six months after the date of enactment of this Act.

HOUSTON, TEXAS

The conferees are concerned by the quality of service at the Jensen Drive Postal Station in Houston, Texas. The conferees are specifically concerned with the adequacy of the facility at this postal station. The station currently has only eight available parking slots, of which one is for disabled customers and two are for senior citizens who represent a large portion of this station's customers, leaving only five available slots for all other customers. This lack of adequate parking creates traffic and safety problems. The conferees direct the Postal Service to evaluate the options for addressing the parking situation and other problems at Jensen Drive and report to the Committees on Appropriations on steps being taken to address the problem no later than 90 days after enactment of this Act.

BRONX, NEW YORK

The conferees are very concerned by the repeated reports of poor quality service to postal customers in the Bronx, including missing mail, wrongly delivered mail, and late delivery. The House Committee on Appropriations earlier directed the Postal Service to investigate the situation at the Morris Park post office and report its recommendations for corrective action to the Committee, and the Postal Service provided this report in January 2003. The conferees direct the Postal Service to expand its investigation to the Highbridge, Stadium, Morrisania, and Tremont stations, as well as the General Post Office, and report its findings and recommendations for corrective action and a plan of implementation to the Committees on Appropriations no later than 120 days following enactment of this Act.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

The conferees agree to provide $450,000 as proposed by the House and the Senate.

SALARIES AND EXPENSES

The conferees agree to provide $50,715,000 as proposed by the House instead of $59,735,000 as proposed by the Senate. The conferees agree to transfer $9,020,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services.

WHITE HOUSE TOURS

The conferees are aware that, because of the tragic events of September 11, 2001, public visitation of the White House has been severely restricted. The conferees would like to see a resumption of public White House tours as soon as safely possible. In light of this goal, within 30 days of enactment of this Act, the White House Office should provide a report to the Committees that details the status of efforts underway to safely reopen public tours of the White House.

OFFICE OF HOMELAND SECURITY

SALARIES AND EXPENSES

The conferees agree to provide $19,398,000 instead of $24,061,000 as proposed by the House and $24,844,000 as proposed by the Senate. The conferees agree to transfer $783,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services. The conferees do not include $4,663,000 in funds proposed for various costs associated with the operations of the Nebraska Avenue complex. The conferees are aware of an unobligated balance of $3,745,200 in fiscal year 2002 supplemental appropriations for Nebraska Avenue; and the conferees also note that

funds were transferred through the authority provided in Public Law 107–294 for various Nebraska Avenue operations. The conferees note that detailed justification materials related to the funds transferred under the authority of Public Law 107–294 have not yet been provided to the Committee. Given the availability of these other funding sources, the conferees defer consideration of the $4,663,000 proposed for Nebraska Avenue operations.

EXECUTIVE OFFICE OF THE PRESIDENT MAIL PROCESSING

The conferees are concerned by ongoing difficulties associated with mail processing for the Executive Office of the President (EOP) complex. The conferees are further concerned by the absence of a business case analysis for mail processing efforts, including a precise definition of both user and system requirements. The conferees are aware of proposed plans to transfer $9,000,000 of fiscal year 2003 funds from the Office of Homeland Security to the Department of Homeland Security for EOP mail processing. The conferees support this transfer of responsibilities and encourage the Office of Administration to move expeditiously toward this goal. The Office of Administration is directed to report back to the Committees on all efforts to transfer funds and responsibilities for this effort to the Department of Homeland Security no later than 60 days after enactment of this Act.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

The conferees agree to provide $12,228,000 as proposed by the House and the Senate.

WHITE HOUSE REPAIR AND RESTORATION

The conferees agree to provide $1,200,000 as proposed by the House and the Senate.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

The conferees agree to provide $4,066,000 as proposed by the Senate instead of $3,160,000 as proposed by the House.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $324,000 as proposed by the House and the Senate.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

The conferees agree to provide $3,763,000 as proposed by the House instead of $4,405,000 as proposed by the Senate. The conferees agree to transfer $642,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

The conferees agree to provide $3,251,000 as proposed by the House instead of $4,221,000 as proposed by the Senate. The conferees agree to transfer $970,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

The conferees agree to provide $7,821,000 instead of $7,803,000 as proposed by the House and $9,525,000 as proposed by the Senate. The conferees agree to transfer $1,704,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The conferees agree to provide $91,505,000 instead of $92,681,000 as proposed by the House and $70,128,000 as proposed by the Senate. The conferees agree to transfer $21,377,000 from the White House Office, the Office of Homeland Security, the Office of Management and Budget, the Office of Policy Development, the National Security Council, and the Council of Economic Advisers to the Office of Administration to establish a pilot project for centralized procurement and management of information technology, rent, printing and reproduction, supplies and materials and equipment. The conferees expect that the Office of Administration will achieve economies of scale using centralized procurement practices and directs the Office of Administration to identify these savings within 120 days of enactment of this Act. The conferees direct the Office of Administration to submit a description of this pilot project, including a description of the standards established for the procurement of each commodity included in this project, no later than 60 days after enactment of this Act.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The conferees agree to provide $62,394,000 instead of $61,492,000 as proposed by the House and $70,752,000 as proposed by the Senate. The conferees agree to transfer $8,258,000 to the Office of Administration in support of a pilot program to centralize the procurement of certain common goods and services. The conferees are aware that the Office of Management and Budget (OMB) has achieved savings in excess of $100,000 through the use of the Government Printing Office to print the President's fiscal year 2004 budget. The conferees have reduced OMB's appropriation by this amount and direct OMB to apply this reduction to OMB-Wide Offices. The conferees further encourage OMB to apply this reduction to those functions and activities that have no direct impact on the formulation or execution of the President's fiscal priorities, such as the Communications Office.

CONTRACTING OUT QUOTAS

The conferees agree to a Senate provision prohibiting the use of funds to establish, apply, or enforce any numerical goal, target, or quota for contracting out unless the goal, target, or quota is based on considered research and sound analysis of past activities and is consistent with the stated mission of the executive agency. Although the Senate provision was somewhat different than the provision adopted by the House, the conferees want to emphasize the strong opposition in both chambers to the establishment of arbitrary goals, targets, and quotas. If any goals, targets, or quotas are established following ''considered research and sound analysis'' under the terms of this provision, the conferees direct the Office of Management and Budget to provide a report to the Committees on Appropriations no later than 30 days following the announcement of those goals, targets, or quotas, specifically detailing the research and sound analysis that was used in reaching the decision.

ELECTRONIC GOVERNMENT (E-GOV) FUND

The conferees agree to include funds for the Electronic Government Fund within the General Services Administration, as proposed by the Senate.

ELECTION ADMINISTRATION REFORM AND RELATED EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees address this issue in a separate Division of this Act.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $26,456,000 as proposed by the Senate instead of $24,458,000 as proposed by the House. The conferees include $1,000,000 for the National Alliance for Model State Drug Laws. The conferees have included a provision that withholds $2,000,000 from obligation until the Director submits, and the Committees on Appropriations approve, a human capital strategy for the Office of National Drug Control Policy (ONDCP).

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $48,000,000 instead of $40,000,000 as proposed by the Senate and $55,800,000 as proposed by the House. This includes $22,000,000 for counternarcotics Technology Research and Development and $26,000,000 for the Technology Transfer Program. The conferees have included continued funding for neuroimaging studies and genomic research into the relationship between genetic predisposition and environmental factors bearing upon drug addiction in the amount for counternarcotics Technology Research and Development.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $226,350,000 as proposed by the Senate instead of $246,350,000 as proposed by the House. The conferees provide that existing HIDTAs shall be funded at no less than the fiscal year 2002 levels prior to the obligation of the $20,000,000 in additional funds provided for fiscal year 2002, unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the HIDTA program, as well as published ONDCP performance measures of effectiveness. The conferees also provide that no funds in excess of the fiscal year 2003 budget request shall be obligated without the prior approval of the Committees.

HIDTA PERFORMANCE MANAGEMENT

The conferees remain concerned by ONDCP's lack of progress in developing performance measures of effectiveness (PMEs) for the HIDTA program. The conferees believe that the ability to evaluate the effectiveness of individual HIDTAs, and to rationally match funding needs against budgets, depends on a reliable and consistent methodology for performance measurement and management. The conferees provide, under the Salaries and Expenses account, that $5,000,000 shall not be obligated until the Director of ONDCP submits PMEs for the HIDTA program to the Committees. The conferees further direct ONDCP to provide a justification, based on PMEs, of the fiscal year 2004 budget request for each individual HIDTA, as well as an optimal spending allocation for each individual HIDTA based upon PMEs, to the Committees when PMEs for the HIDTA program are submitted.

SOUTHWEST BORDER HIDTA

The conferees are concerned by the repeated reports of the conflict within the Southwest Border HIDTA between the five regional partnerships and the central office. The Southwest Border HIDTA was created in 1990 and is unique among HIDTAs in that it is structured into five partnerships—Arizona, California Border Alliance Group, New Mexico, South Texas, and West Texas—plus an Executive Director's office based in El Paso, Texas. The conferees believe that this regional structure has worked effectively to cover a very large multi-State geographical area that is crucial to anti-drug law enforcement. At the same time, the conferees believe that the HIDTA program needs coordination and rationalization to ensure that

scarce resources can be targeted to those areas demonstrating both the greatest need and the greatest programmatic impact. The conferees believe that these goals can be met without altering the basic structure of the Southwest Border HIDTA. The conferees agree to provide that no funds shall be used for the further or additional consolidation of the Southwest Border HIDTA, except for the operation of an office with a coordinating role, until ONDCP provides a report on the Southwest Border HIDTA. The conferees direct ONDCP to investigate the situation in the Southwest Border HIDTA and provide this report to the Committees on Appropriations within 120 days of enactment of this Act. This report shall include ONDCP's recommendations for resolving conflicts related to management and budgeting within the Southwest Border HIDTA, and shall include written statements from each of the partnerships expressing that partnership's views of the situation.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $223,200,000 instead of $240,800,000 as proposed by the House and $172,700,000 as proposed by the Senate. This includes $150,000,000 for the National Youth Anti-Drug Media Campaign, $60,000,000 for the Drug-Free Communities Support Program, $3,000,000 for the Counterdrug Intelligence Executive Secretariat, $2,000,000 for Performance Measures Development, $6,400,000 for the US Anti-Doping Agency, $1,000,000 for the National Drug Court Institute, and $800,000 for dues to the World Anti-Doping Agency. The conferees provide that $2,000,000 of Drug-Free Communities funds shall be used to make a grant directly to the Community Anti-Drug Coalitions of America to establish and maintain the National Community Anti-Drug Coalition Institute as proposed by the Senate, instead of no provision as proposed by the House.

NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN

The conferees are deeply disturbed by the lack of evidence that the National Youth Anti-Drug Media Campaign has had any appreciable impact on youth drug use. With the funds provided for fiscal year 2003, expenditures on the Media Campaign will be over $1,000,000,000 since the program's inception in fiscal year 1998. While the evaluation conducted under the auspices of the National Institute for Drug Abuse (NIDA) has shown that the Media Campaign has had a slight and sporadic impact on the attitudes of parents, it has had no significant impact on youth behavior. While the conferees are aware of surveys, such as Monitoring the Future, that show recent declines in youth drug use, the NIDA study was undertaken to measure the specific impact of the Media Campaign, not simply to gauge general trends. The conferees have not included a provision requiring ONDCP to spend a certain amount on media buys for the Media Campaign as proposed by the House. The conferees expect ONDCP to allocate not less than the amount provided in fiscal year 2002 to support the non-advertising public communication activities of the Media Campaign.

The Director has inaugurated certain changes in the direction of the Media Campaign, such as producing new ads demonstrating the link between drug use and terrorism and other criminal activity, as well as an intensive anti-marijuana campaign launched in fall of 2002 and a shift in the youth age group focus of the campaign. The conferees are hopeful that these and other changes will result in the achievement of the campaign's goal of reducing youth drug use. The conferees intend to rely on the scientifically rigorous NIDA study to gauge the ultimate impact of the campaign. If the campaign continues to fail to demonstrate effectiveness, then the Committees will be compelled to reevaluate the use of taxpayer money to support the Media Campaign.

US ANTI-DOPING AGENCY

The conferees include $6,400,000 for the US Anti-Doping Agency (USADA). Within this amount, the conferees include $500,000 for the development of a school-based program for educating young athletes on the risks associated with dietary supplements. Not only are certain supplements banned from use by USADA, many supplements contain steroid precursors (which the body metabolizes into testosterone), such as androstenedione, androstendiol, and DHEA. Studies have shown that these steroid precursors are being used by young athletes as performance-enhancing drugs at an alarming rate, even as early as the grade school level. The conferees believe that an education program is therefore necessary to make our young athletes aware of the risks associated with certain dietary supplements.

UNANTICIPATED NEEDS

The conferees agree to provide $1,000,000 as proposed by the House and Senate.

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

The conferees agree to provide $4,658,000 instead of $4,629,000 as proposed by the House and the Senate. This includes $29,000 to fully fund fiscal year 2003 operations.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The conferees agree to include $49,866,000 instead of $49,426,000 as proposed by the House and $45,244,000 as proposed by the Senate. This includes $4,198,000 to implement the Bipartisan Campaign Reform Act and $424,000 to fully fund fiscal year 2003 operations. The conferees do not include a $16,000 general reduction, as proposed by the House.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The conferees agree to provide $28,950,000 instead of $28,677,000 as proposed by the House and the Senate. This includes $273,000 to fully fund fiscal year 2003 operations.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $7,006,033,000 in new obligational authority instead of $6,961,930,000 as proposed by the House and $7,006,518,000 as proposed by the Senate. The conferees directly appropriate $375,711,000 into the Fund to cover a portion of the new obligational needs of the Fund.

CONSTRUCTION AND ACQUISITION

The conferees agree to provide $717,488,000 instead of $646,385,000 as proposed by the House and $631,663,000 as proposed by the Senate. The conferees agree with the direction proposed by the Senate with respect to the Rosenn Federal Courthouse in Wilkes-Barre, PA. The conferees concur with the direction provided in House Report 107–575 on the new courthouse in Chattanooga, TN, and urge the General Services Administration (GSA) to keep this project on schedule (site acquisition and design for fiscal year 2005 and construction for fiscal year 2007).

SPRINGFIELD, MASSACHUSETTS COURTHOUSE

The conferees are aware that the General Services Administration has identified more than $2,000,000 in additional security features that exceed the original criteria for the Springfield Courthouse in Massachusetts. The conferees expect GSA to fulfill these additional security requirements within the current budget estimates for the project or through a reprogramming request.

REPAIRS AND ALTERATIONS

The conferees agree to provide $951,529,000 instead of $978,529,000 as proposed by the House and $997,839,000 as proposed by the Senate. Of the amount provided, $358,340,000 is for basic repairs and alterations. The conferees elected not to include amounts for specific projects and programs in the bill; however, the conferees direct the General Services Administration to provide the Committees on Appropriations, within 60 days of enactment of this Act, a plan for expenditure of the funds which includes the specific projects and programs to be accomplished and the amounts proposed for each.

The conferees remain concerned about the plans for repairing and upgrading the Post Office and Federal Building in Pittsburgh, PA, and direct GSA to seriously consider requesting any additional needs there might be for this project through reprogramming. The conferees agree with the Senate direction within the construction activity rather than the House direction within this account concerning the needs of the Rosenn Federal Courthouse in Wilkes-Barre, PA.

EISENHOWER EXECUTIVE OFFICE BUILDING

The conferees are keenly aware of the deplorable condition of the Eisenhower Executive Office Building and the critical need to move forward on a major multi-year repair and alteration project for this property. The conferees remain severely disappointed with information provided by the Office of Management and Budget and GSA and very concerned with the lack of clear, consistent, and timely decision-making by this Administration on this project. The conferees believe that the current lack of progress on planning the entire modernization effort does a serious disservice to the Administration and the affected personnel and that it would be premature and inappropriate to fund incomplete design efforts in a piecemeal fashion.

INSTALLMENT ACQUISITION PAYMENTS

The conferees agree to provide $178,960,000 as proposed by the House and the Senate.

RENTAL OF SPACE

The conferees agree to provide $3,113,211,000 instead of $3,153,211,000 as proposed by the House and the Senate.

NOAA OPERATIONS AND SCIENCE CENTER

The conferees are aware that GSA is currently reviewing expressions of interest for an assignable land option in the College Park/Greenbelt Area of Prince George's County, Maryland, for the NOAA Operations and Science Center. Further, the conferees are concerned that the lease prospectus for this project has not been submitted to Congress for approval. Therefore, the conferees expect the Administration to submit the lease prospectus to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works for approval no later than 30 days following the enactment of this Act.

BUILDING OPERATIONS

The conferees agree to provide $1,965,160,000 as proposed by the Senate instead of $1,925,160,000 as proposed by the House. The conferees anticipate that the House of Representatives will be a primary tenant of FOB 8. The conferees strongly encourage GSA to move forward with the ongoing discussions with representatives of the City of Canton, Ohio, involving the Frank T. Bow Federal Building with the goal of finding suitable

housing for federal tenants in the Canton area, which includes the option of building a new federal building.

ANGEL ISLAND IMMIGRATION

The conferees direct GSA to submit a report to the Committees on Appropriations within 30 days after the date of enactment on the status of the Angel Island Immigration Station which outlines the role of the GSA, the National Park Service, the National Archives, and any other relevant Federal agency in the effort to properly maintain, preserve and restore the Station as a national landmark.

POLICY AND CITIZEN SERVICES

The conferees agree to provide $66,304,000 instead of $65,995,000 as proposed by the House and the Senate. The conferees agree to include $309,000 for full funding for fiscal year 2003 operations.

OPERATING EXPENSES

The conferees agree to provide $83,663,000 instead of $77,904,000 as proposed by the House and $94,640,000 as proposed by the Senate. The conferees agree to include two reductions, $6,436,000 for Governor's Island and $5,450,000 for the full non-recur of five fiscal year 2002 items, as proposed by the House. The conferees also agree to include the following increases: $2,000,000 as a transfer to the New York State Historical Society for exhibits, education, collections, and research associated with the September 11, 2001 terrorist attacks; $150,000 as a transfer to the Association of Central Oklahoma Governments for establishing alternative fuel facilities; $1,500,000 for the virtual archive storage terminal; $300,000 for the Upper Great Plains Native American Telehealth program; $300,000 for the University of Colorado Health Science Center's Digital Telehealth project; $1,750,000 for the government rural outreach initiative; $125,000 as a transfer to the North Dakota State Historical Society for the veteran's oral history project; $1,000,000 for financial transaction software; $250,000 as a transfer to the Boston Public Library for the Adams collection; $250,000 as a transfer to the State of Alaska to assist in preparation for its Statehood celebration; $250,000 as a transfer to the State of Hawaii to assist in preparation for its Statehood celebration; and $534,000 for full funding for fiscal year 2003 operations. The conferees also direct that, should the United States Consensus Council become authorized, GSA is to provide the council $1,000,000 from within existing funds to initiate the effort.

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide $37,916,000 instead of $37,617,000 as proposed by the House and the Senate. The conferees agree to include $299,000 for the full funding of fiscal year 2003 operations.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $5,000,000 as proposed by the Senate instead of no funds as proposed by the House; the House had included $5,000,000 within the Executive Office of the President. The conferees note that proposals for using this funding are to meet capital planning guidelines and include adequate documentation to demonstrate a sound business case, attention to security and privacy, and a way to measure performance against planned results. The Office of Management and Budget is to control the allocation of the fund and direct its use for information systems projects that affect multiple agencies and offer the greatest improvements in access and services.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $3,339,000 as proposed by the House and the Senate.

ELECTION REFORM REIMBURSEMENTS

The conferees agree to provide $15,000,000 to GSA for a program of payments to States that obtained optical scan or electronic voting equipment for the administration of Federal elections prior to the November 2000 election. These funds are in addition to election reform funding provided in a separate Division of this Act.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

Section 401. The conferees agree to continue a provision that provides that accounts available to GSA shall be credited with certain funds received from government corporations.

Section 402. The conferees agree to continue a provision that provides that funds available to GSA shall be available for the hire of passenger motor vehicles.

Section 403. The conferees agree to continue a provision that authorizes GSA to transfer funds within the Federal Buildings Fund to meet program requirements subject to approval by the Committees on Appropriations.

Section 404. The conferees agree to continue a provision that prohibits the use of funds to submit a fiscal year 2004 budget request for courthouse construction projects that do not meet design guide criteria, do not reflect the priorities of the Judicial Conference of the United States, and are not accompanied by a standardized courtroom utilization study.

Section 405. The conferees agree to continue a provision that provides that no funds may be used to increase the amount of occupiable square feet or provide cleaning services, security enhancements, or any other service usually provided to any agency which does not pay the requested rental rates.

Section 406. The conferees agree to continue a provision that provides that funds provided by the Information Technology Fund for pilot information technology projects may be repaid to the Fund.

Section 407. The conferees agree to continue a provision as proposed by the House that allows the General Services Administration to pay claims that are less than $250,000 without Congressional approval.

Section 408. The conferees agree to a new provision as proposed by the Senate naming a Federal building and courthouse in Gulfport, Mississippi.

Section 409. The conferees agree to a new provision as proposed by the Senate naming a Federal courthouse in Central Islip, New York.

Section 410. The conferees agree to a new provision as proposed by the Senate naming a Federal building in Denver, Colorado.

Section 411. The conferees agree to include a new provision as proposed by the Senate to permit the General Services Administration to sell a parcel of land to Hanna City, Illinois, on an installment payment basis over a 5–year period.

Section 412. The conferees agree to include a new provision as proposed by the Senate naming a Federal courthouse in Little Rock, Arkansas.

Section 413. The conferees agree to include a new provision as proposed by the Senate that authorizes the General Services Administration to acquire a certain property and move a specific building in Salt Lake City, Utah.

Section 414. The conferees agree to include a new provision naming a Federal building and courthouse in Youngstown, Ohio.

Section 415. The conferees agree to include a new provision naming a Federal courthouse in Fort Worth, Texas.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $32,027,000 instead of $31,788,000 as proposed by the House and the Senate. This includes $239,000 to fully fund fiscal year 2003 operations.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

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

The conferees agree to provide $1,996,000 as proposed by the House and the Senate.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The conferees agree to provide $1,309,000 as proposed by the House and the Senate.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

The conferees agree to provide $249,875,000 instead of $249,731,000 as proposed by the House and the Senate. The conferees agree not to include funding for the Homeland Security records activities initiative. The conferees agree to provide $144,000 for the full funding of fiscal year 2003 operations. The conferees agree to include two provisions as proposed by the House, the first regarding the electronic records archive and the second regarding the records of the Freedman's Bureau.

REPAIRS AND RESTORATION

The conferees agree to provide $14,208,000 as proposed by the Senate instead of $10,458,000 as proposed by the House. The conferees agree to include $3,750,000 for site acquisition associated with a new regional facility in Anchorage, Alaska; this work is to be conducted by the National Archives in the best and most efficient manner possible.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

The conferees agree to provide $6,500,000 instead of $7,000,000 as proposed by the House and the Senate. Several specific concerns voiced by the Senate in its guidance have been addressed in the GSA Operating Expenses account.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The conferees agree to provide $10,557,000 instead of $10,486,000 as proposed by the House and the Senate. This includes $71,000 to fully fund fiscal year 2003 operations.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conferees agree to provide $129,486,000 instead of $128,986,000 as proposed by the House and $128,736,000 as proposed by the Senate.

TELECOMMUTING TRAINING PROGRAM

The conferees include $500,000 to carry out a Telecommuting Training Program as proposed by the House. The purpose of the program is to educate executive branch managers about the benefits and logistics of telecommuting. The conferees note that while the proportion of telecommuters in the Federal government increased significantly from 1 percent in 1999 to 4.2 percent in 2001, telecommuting rates at some federal agencies remain very low and manager reluctance is the most frequently cited barrier to telecommuting. The conferees believe that, under this program, an effort should be made to encourage managers, through the performance

planning and evaluation process, to assess and, where appropriate, create telecommuting plans for their offices and staff. The conferees direct the Office of Personnel Management (OPM) to target executive agencies where less than 2 percent of employees telecommute.

RETIREMENT READINESS

The conferees are aware that OPM has the mission to look out for the retirement welfare of Federal employees, primarily through retirement counseling and pre-retirement seminars to agency employees. OPM has communicated to the conferees that ''improving the retirement readiness of Federal employees is part of our objective to help Federal agencies use effective merit-based human capital strategies to create a rewarding work environment that accomplishes the mission.'' OPM has also recognized, however, that it does not currently have the resources targeted to establish a methodology to examine the real rate of Americans' ''retirement readiness'' and to develop a retirement education model, which is crucial for their being able to accomplish that objective. To fill this need, OPM has recognized that the International Foundation for Retirement Education (InFRE) can provide OPM with the methodology and model that they require.

OPM and InFRE have proposed that InFRE will perform a preliminary research project on the ''retirement readiness'' of the American worker, the scope and deliverables of which are: (1) create a research team to include members from InFRE's top retirement professional and academic resources, together with representatives from OPM, Department of Labor, and the Department of Treasury; (2) develop research and methodology to identify and define a generally acceptable index of ''retirement readiness'' for the individual worker or plan participant; (3) develop initial methodology and strategies with which to test for ''retirement readiness'' among a cross section of employee (and employer) groups, segmented by geography, income, ethnicity, gender, etc.; (4) implement a pilot program consisting of a series of diverse field tests to establish the accuracy and efficiency of the developed methodology among a cross section of the workforce; (5) analyze the findings and make any necessary changes and enhancements to the models to be employed, performing additional pilot tests as required while simultaneously identifying existing best practices and/or workforce barriers; and (6) prepare a report to OPM, Department of Labor, and Department of Treasury that will present the research project's analysis, findings, conclusions, and recommendations, to include a working definition of the widely used but yet undefined term of ''retirement readiness,'' and outline a validated methodology for more advanced research on ''retirement readiness'' in the future.

The conferees concur with OPM's concerns for providing better retirement counseling, especially in light of the fast approaching retirements of the ''Baby Boomer'' cohort. Within the amounts provided to OPM, the conferees include $250,000 for OPM to award as a grant or contract to InFRE to conduct the research project described in this passage and directs that OPM provide the Committees on Appropriations with a report stating the research project's progress, results and OPM's actions in light of such.

BARNSTABLE COUNTY, MASSACHUSETTS

The conferees are aware that on October 1, 2002, the Federal Salary Council recommended that Barnstable County be included as part of the Boston-Worcester-Lawrence, MA-NH-ME-RI-CT Locality Pay Area (LPA). The conferees are also aware that the President's Pay Agent did not act on that recommendation. The conferees direct OPM to study the impact of this decision on recruitment and retention efforts of Federal agencies with offices in this Locality Pay Area and provide a detailed report to the Committees on Appropriations within 45 days after enactment of this Act. Additionally, the conferees direct OPM to consider the Connecticut River Valley for inclusion into the Hartford Locality Pay Area because of the difficulties some Federal agencies have documented in retaining and attracting Federal employees in the Connecticut River Valley.

OFFICIAL TIME

The conferees are aware that the Director of OPM has instructed departments and agencies to report on the numbers of hours of official time used by employees to perform representational activities and that this information was to have been submitted to OPM by October 31, 2002. The conferees direct OPM to provide a report on official time to the Committees on Appropriations no later than June 1, 2003.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conferees agree to provide $1,519,000 instead of $1,498,000 as proposed by the House and the Senate. This includes $21,000 to fully fund fiscal year 2003 operations.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The conferees agree to provide $12,449,000 instead of $12,432,000 as proposed by the House and $12,434,000 as proposed by the Senate. This includes $15,000 to fully fund fiscal year 2003 operations.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The conferees agree to provide $37,305,000 as proposed by the House and the Senate.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

The conferees agree to provide $250,000 as proposed by the House and the Senate.

TITLE V—GENERAL PROVISIONS

THIS ACT

Section 501. The conferees agree to continue the provision limiting the expenditure of funds to the current year unless expressly provided in this Act.

Section 502. The conferees agree to continue the provision limiting the expenditure of funds for consulting services under certain conditions.

Section 503. The conferees agree to continue the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 504. The conferees agree to continue the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 505. The conferees agree to continue the provision that requires compliance with the Buy American Act.

Section 506. The conferees agree to continue the provision regarding the purchase of American-made equipment and products.

Section 507. The conferees agree to continue the provision prohibiting contract eligibility where fraudulent intent has been proven in affixing ''Made in America'' labels.

Section 508. The conferees agree to continue the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 509. The conferees agree to continue the provision restricting the use of funds for the White House to request official background reports without the written consent of the individual who is the subject of the report.

Section 510. The conferees agree to continue the provision that cost accounting standards under the Federal Procurement Policy Act shall not apply to the Federal Employees Health Benefits Program.

Section 511. The conferees agree to continue a provision regarding non-foreign area cost of living adjustments.

Section 512. The conferees agree to continue a provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 513. The conferees agree to include a new provision increasing the size of the endowment for future Presidential libraries, as proposed by the Senate.

Section 514. The conferees agree to include a new provision prohibiting the transfer of funds in this Act to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or a transfer authority provided in, this Act or any other Appropriations Act, as proposed by the House.

Section 515. The conferees agree to modify and continue the provision prohibiting the transfer of control over the Federal Law Enforcement Training Center.

Section 516. The conferees agree to continue the provision prohibiting the expenditure of funds for abortions under the FEHBP.

Section 517. The conferees agree to continue the provision that would authorize the expenditure of funds for abortions under the FEHBP if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 518. The conferees agree to include a new provision concerning procurement of goods made with forced or indentured child labor, as proposed by the Senate.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES AND CORPORATIONS

Section 601. The conferees agree to continue the provision authorizing agencies to pay costs of travel to the United States for the immediate families of Federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 602. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 603. The conferees agree to continue the provision regarding price limitations on vehicles to be purchased by the Federal Government.

Section 604. The conferees agree to continue the provision allowing funds made available to agencies for travel to also be used for quarters allowances and cost-of-living allowances.

Section 605. The conferees agree to continue the provision prohibiting the Federal Government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 606. The conferees agree to continue the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 607. The conferees agree to continue the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 608. The conferees agree to continue the provision providing that funds may be used by certain groups to pay rent and

other service costs in the District of Columbia.

Section 609. The conferees agree to continue the provision prohibiting the use of funds to pay the salary of any nominee after the Senate voted not to approve the nomination.

Section 610. The conferees agree to continue the provision precluding the financing of groups by more than one Federal agency absent prior and specific statutory approval.

Section 611. The conferees agree to continue the provision authorizing the Postal Service to employ guards and give them the same special police powers as GSA guards.

Section 612. The conferees agree to continue the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 613. The conferees agree to continue the provision limiting the pay increases of certain prevailing rate employees.

Section 614. The conferees agree to continue the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 615. The conferees agree to continue the provision prohibiting the expenditure of funds for the acquisition of additional law enforcement training facilities.

Section 616. The conferees agree to continue the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 617. The conferees agree to continue the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 618. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment.

Section 619. The conferees agree to continue the provision prohibiting the importation of any goods manufactured by forced or indentured child labor.

Section 620. The conferees agree to continue the provision prohibiting the payment of the salary of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 621. The conferees agree to continue the provision prohibiting Federal training not directly related to the performance of official duties.

Section 622. The conferees agree to continue the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 623. The conferees agree to continue the provision prohibiting use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending in Congress.

Section 624. The conferees agree to continue the provision prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 625. The conferees agree to continue the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the Federal Government without the approval of the Committees on Appropriations.

Section 626. The conferees agree to continue the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 627. The conferees agree to continue the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 628. The conferees agree to modify and continue the provision authorizing the use of funds to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 629. The conferees agree to modify and continue the provision authorizing agencies to transfer funds to the Policy and Citizen Services account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program and other purposes.

Section 630. The conferees agree to continue the provision authorizing breastfeeding at any location in a Federal building or on Federal property.

Section 631. The conferees agree to continue the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council.

Section 632. The conferees agree to continue the provision requiring that any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

Section 633. The conferees agree to modify and continue the provision to extend the authorization for franchise fund pilots for one year, as proposed by the House and Senate.

Section 634. The conferees agree to continue the provision to prohibit the use of funds to monitor personal information relating to the use of Federal Internet sites.

Section 635. The conferees agree to continue the provision addressing contraceptive coverage in health plans participating in the FEHBP with exceptions.

Section 636. The conferees agree to continue the provision clarifying that the US Anti-Doping Agency is the official anti-doping agency for Olympic games.

Section 637. The conferees agree to include a new provision regarding the adjustment in rates of basic pay for Federal employees that takes effect in fiscal year 2003, as proposed by the House and Senate, with technical modifications. The conferees endorse the Federal Salary Council's recommendation for allocating locality pay in its October 17, 2002, Memorandum to the President's Pay Agent.

Section 638. The conferees agree to continue the provision directing the Inspector General of applicable departments and agencies to submit a report detailing policies or procedures they have in place to ensure compliance with the Rural Development Act of 1972.

Section 639. The conferees agree to include a new provision expressing the sense of the Congress regarding the United States Postal Service funding of Civil Service Retirement System benefits, as proposed by the Senate, with a modification.

Section 640. The conferees agree to include a new provision expressing the sense of the Congress regarding pay parity between uniformed employees and civilian employees, including wage grade civilian employees, as proposed by the Senate.

Section 641. The conferees agree to include a new provision directing the General Services Administration to accept all right, title, and interest in a certain piece of real property in Boca Raton, Florida, as proposed by the Senate, with modifications.

Section 642. The conferees agree to include a new provision changing the definition of average pay for certain Secret Service retirees for purposes of determining their annual retirement annuity, as proposed by the House, with technical modifications.

Section 643. The conferees agree to include a new provision creating a sunset clause for Section 902(b) of the Law Enforcement Pay Equity Act of 2000 (as enacted into law by Public Law 106–554), as proposed by the House, with technical modifications.

Section 644. The conferees agree to include a new provision prohibiting the use of funds to facilitate the release of certain law enforcement database information in response to requests made under the Freedom of Information Act, as proposed by the House, with technical modifications.

Section 645. The conferees agree to include a new provision amending Section 9505(d) of title 5 to allow Internal Revenue Service Senior Executive Service employees to be eligible to receive the same bonus payments as other Federal Senior Executive Service employees, as proposed by the House.

Section 646. The conferees agree to include a new provision prohibiting the use of funds to implement or enforce regulations relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity, as proposed by the House.

Section 647. The conferees agree to include a new provision prohibiting the use of funds to establish, apply or enforce any numerical goal, target, or quota for contracting out, as proposed by the Senate.

Section 648. The conferees agree to include a technical correction regarding benefits for air traffic controllers.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

New budget (obligational) authority, fiscal year 2002	$33,817,112
Budget estimates of new (obligational) authority, fiscal year 2003	34,276,280
House bill, fiscal year 2003	34,821,460
Senate bill, fiscal year 2003	34,533,464
Conference agreement, fiscal year 2003	34,653,476
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	+836,364
Budget estimates of new (obligational) authority, fiscal year 2003	+377,196
House bill, fiscal year 2003	−167,984
Senate bill, fiscal year 2003	+120,012

DIVISION K

VETERANS AFFAIRS, HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS

The language and allocations set forth in House Report 107–740 and the Senate explanatory statement as delineated in the *Congressional Record* of January 15, 2003, pages S356 through S410 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not changed by the report of the Senate or the conference and Senate report language which is not changed by the conference is approved by the committee of the conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases which the House or

Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

OPERATING PLAN AND REPROGRAMMING PROCEDURES

The conferees continue to have a particular interest in being informed of reprogrammings which, although they may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, represent a significant departure from budget plans presented to the Committees in an agency's budget justifications, the basis of this appropriations Act.

Consequently, the conferees direct the Departments, agencies, boards, commissions, corporations and offices funded at or in excess of $100,000,000 in this bill, to consult with the Committee on Appropriations in both the House and Senate prior to each change from the approved budget levels in excess of $500,000 between programs, activities, object classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. For agencies, boards, commissions, corporations and offices funded at less than $100,000,000 in this bill, the reprogramming threshold shall be $250,000 between programs, activities, object classifications or elements unless otherwise provided for in the statement of the managers accompanying this Act. Additionally, the conferees expect the Committees on Appropriations to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts. If such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the statement of the managers or accompanying reports of the House and Senate are affected by the reprogramming, the reprogramming must be approved by the Committees on Appropriations regardless of the amount proposed to be moved. Furthermore, the conferees direct that the Committees on Appropriations be consulted regarding reorganizations of offices, programs, and activities prior to the planned implementation of such reorganizations.

The conferees also direct that the Departments of Veterans Affairs and Housing and Urban Development, as well as the Corporation for National and Community Service, the Environmental Protection Agency, the Federal Emergency Management Agency, the National Aeronautics and Space Administration, the National Science Foundation, the Consumer Product Safety Commission, and the Chemical Safety and Hazard Investigation Board shall submit operating plans, signed by the respective secretary, administrator, or agency head, for review by the Committees on Appropriations of both the House and Senate within 60 days of the bill's enactment. Other agencies within this Act should continue to submit operating plans consistent with prior year policy, or as directed in this statement of the managers.

The conferees reiterate language proposed by the House regarding the Committees' longstanding position that while the Committees reserve the right to call upon all offices in the departments, agencies, boards, and commissions, access to the budget offices is essential.

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

Of the amounts approved in the appropriations accounts in this title, the Department must limit transfers of funds between objectives to not more than $500,000, except as specifically noted, without prior approval of the Committees. No changes may be made to any account or objective, except as approved by the Committees, if it is construed to be policy or change in policy. Any activity or program cited in the statement of the managers shall be construed as the position of the conferees and should not be subject to reductions or reprogramming without prior approval of the Committees. It is the intent of the conferees that all carryover funds in the various appropriations accounts are subject to the normal reprogramming requirements outlined above. The Department is expected to comply with all normal rules and regulations in carrying out these directives. Finally, the Department should continue to notify the Committees regarding reorganizations of offices, programs, or activities prior to the planned implementation of such reorganizations.

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $28,949,000,000 for compensation and pensions as proposed by both the House and the Senate, of which not more than $17,138,000 is to be transferred to general operating expenses and medical care.

READJUSTMENT BENEFITS

Appropriates $2,264,808,000 for readjustment benefits as proposed by both the House and the Senate.

VETERANS INSURANCE AND INDEMNITIES

Appropriates $27,530,000 for veterans insurance and indemnities as proposed by both the House and the Senate.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates such sums as may be necessary for costs associated with direct and guaranteed loans from the veterans housing benefit program fund program account as proposed by both the House and the Senate, plus $168,207,000 to be transferred to and merged with general operating expenses.

Deletes the reporting requirement regarding the continuation of the vendee loan program as proposed by the House.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,000 for the costs of direct loans from the education loan fund program account as proposed by both the House and the Senate, plus $70,000 to be transferred to and merged with general operating expenses.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $55,000 for the costs of direct loans from the vocational rehabilitation loans program account as proposed by both the House and the Senate, plus $289,000 to be transferred to and merged with general operating expenses.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $558,000 for administrative expenses of the native American housing loan program account to be transferred to and merged with general operating expenses as proposed by both the House and the Senate. Retains the loan limitation of $5,000,000 for the program as proposed by the House.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS

PROGRAM ACCOUNT

Provides up to $750,000 of the funds available in medical care and general operating expenses to carry out the guaranteed transitional housing loans for homeless veterans program as proposed by both the House and the Senate. Retains the reporting requirement regarding the status of the grant program as proposed by the House with a new reporting date of June 2, 2003.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

Appropriates $23,889,304,000 for medical care as proposed by both the House and the Senate.

Deletes bill language proposed by the House and the Senate delaying the availability of funds for equipment and land and structures until August 1, 2002 remaining available until September 30, 2003.

Retains bill language making $900,000,000 available until September 30, 2004 as proposed by the House and the Senate.

Retains bill language providing the Secretary with the authority to establish a true priority system for veterans seeking medical care as proposed by the Senate. The House did not include a similar provision.

Deletes bill language providing $15,000,000 from medical care funds for CARES projects as proposed by the Senate. The House did not include a similar provision.

Deletes bill language allowing the Secretary to designate additional funds for CARES as proposed by the Senate. The House did not include a similar provision.

Amends the reporting requirement regarding the plan for reducing waiting lists as proposed by the Senate with a new reporting date consistent with submission of the Operating Plan.

The conferees are concerned with increasing instances of inaccurate physician time and attendance reports and expect the Secretary to provide strong oversight in this area.

Amends the reporting requirement regarding the status of the Fort Howard VAMC as proposed by the Senate with a new reporting date of March 31, 2003.

Retains the reporting requirement proposed by the Senate regarding submission of the final report of the White House Commission on Complementary and Alternative Medicine Policy.

Retains language proposed by the Senate regarding the need for an independent property appraisal of the Lakeside VAMC facility. The establishment of community based outpatient clinics in Wisconsin and Illinois, and the rehabilitation and expansion of the West Side VAMC campus would be greatly enhanced by a fair market disposition of Lakeside and the conferees urge the VA to move forward expeditiously with the VISN 12 CARES implementation.

The conferees are concerned that the VA is attempting to expand its activities in the name of homeland security. The Committees on Appropriations in both the House and the Senate are working to ensure programs and resources are available for the Department of Homeland Security (DHS) to fulfill its mission, for individual agencies to protect their own workforce and patrons, and still avoid redundancy in spending and effort. The funds provided to the VA are meant to deliver quality care and services to our Nation's veterans and their families and the conferees expect this to be VA's primary mission. Coordination and implementation of the Nation's homeland security is the responsibility of the DHS, and the conferees trust that DHS will inform the Committees if funds and directives are needed to involve VA in additional duties for security. To this end, the conferees direct that no more than $110,000,000 shall be available in medical care or the medical care collections fund for security training and equipment.

MEDICAL CARE COLLECTIONS FUND

(INCLUDING TRANSFER OF FUNDS)

Retains bill language transferring receipts from the collections fund to medical care as proposed by both the House and the Senate.

The conferees remain concerned with VA's continued lackluster performance in the collection of third party receipts and direct the VA to decline performance awards for facility directors and collection teams which do not meet a 60–day billing time for third-party billing or cut the third-party billing time in half.

Retains report language regarding the billing demonstration at a level of not less than $3,000,000 as proposed by the House. The conferees direct quarterly reports on the status of the billing demonstration project beginning on March 3, 2003.

MEDICAL AND PROSTHETIC RESEARCH

(INCLUDING TRANSFER OF FUNDS)

Appropriates $400,000,000 for medical and prosthetic research as proposed by the Senate instead of $405,000,000 as proposed by the House. Retains bill language transferring $5,000,000 to medical care for research oversight activities as proposed by the House. The Senate did not include a similar provision.

The conferees direct the continued partnership with the National Technology Transfer Center at the current level of effort.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

Appropriates $74,716,000 for medical administration and miscellaneous operating expenses as proposed by the House instead of $69,716,000 as proposed by the Senate. Provides $3,000,000 of the funds for two-year obligation instead of $3,861,000 as proposed by the Senate and one-year availability for all funds as proposed by the House.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

Appropriates $1,254,000,000 for general operating expenses instead of $1,251,418,000 as proposed by the House and $1,256,418,000 as proposed by the Senate.

Provides $66,000,000 to be available for two-year obligation instead of $60,000,000 as proposed by the House and $65,800,000 as proposed by the Senate.

Provides not less than $992,100,000 for the Veterans Benefits Administration (VBA) as proposed by the House. The Senate specified $992,000,000 in report language for VBA.

The conferees direct that the Offices of the Board of Contract Appeals and Board of Veterans Appeals, and the Offices of Assistant Secretaries for Management, Information Technology, Human Resources, and Policy and Planning be funded at not less than the budget request minus the proposed accrual benefit transfer. The conferees have not provided funds for a new Assistant Secretary of Operations, Security and Preparedness, and maintain that coordination of the Department's programs in this area can be accomplished by a director under the Office of the Secretary, and implementation of the Department's plan can be executed by the existing undersecretaries.

Retains language proposed by the House designating $100,000 of the funds provided to VBA for a position description evaluation conducted by the Office of Personnel Management.

NATIONAL CEMETERY ADMINISTRATION

Appropriates $133,149,000 for the National Cemetery Administration as proposed by both the House and the Senate. Provides $6,000,000 of the funds are available for two-year obligation instead of $6,912,000 as proposed by the Senate and one-year availability for all funds as proposed by the House.

The conferees direct VA to use the criteria and findings of the National Shrine Study when planning and budgeting for new and expanded cemetery projects.

OFFICE OF INSPECTOR GENERAL

Appropriates $58,000,000 for the Office of Inspector General instead of $61,000,000 as proposed by the House and $55,000,000 as proposed by the Senate. The funds are available for two-year obligation as proposed by the Senate, instead of one-year availability as proposed by the House.

CONSTRUCTION, MAJOR PROJECTS

Appropriates $99,777,000 for construction, major projects instead of $193,740,000 as proposed by the House and $144,790,000 as proposed by the Senate. Regrettably, under the stringent budget conditions the conferees have agreed not to provide funding for the four proposed seismic projects, but note the absence of final authorization as required by law or a completed CARES study for any of the proposed projects. The conferees are extremely concerned about the safety of VA employees and patients. The conferees strongly urge the Secretary to complete expeditiously the CARES reviews, consider safety improvements and seismic retrofit needs when evaluating capital assets under CARES, and factor safety concerns when establishing the priority list of construction projects under the CARES realignment. Further, the conferees urge the authorizing committees to act quickly, and without prejudice, when authorizing the CARES construction projects proposed by the Secretary and the CARES Commission.

The conferees remain concerned about the criteria used by the Department and the Capital Improvement Board in that the construction projects put forth in the budget requests do not necessarily reflect the true priorities or initiatives of the Department. The conferees direct the Department to establish a 5-year strategic plan for capital asset management, construction and improvement of all VA's infrastructure needs including, but not limited to, major construction, minor construction, research facilities, safety and seismic improvements, and improved access to veterans. The Department shall submit a description of the priority-setting criteria and an estimated cost by VISN by year with the plan by May 15, 2003. The conferees direct VA to submit for funding consideration only projects which are (1) CARES approved, (2) in the 5-year plan, (3) a top priority for the VISN, (4) preliminary design complete, and (5) authorized prior to completion of the annual appropriations Act. With the submission of the 5-year plan, the conferees delete the direction proposed by the House regarding full funding of any announced CARES decision.

Amends the reporting requirement regarding the evaluation criteria used to prioritize CARES improvement projects with a new reporting date of June 2, 2003.

CONSTRUCTION, MINOR PROJECTS

Appropriates $226,000,000 for construction, minor projects instead of $240,700,000 as proposed by the House and $210,700,000 as proposed by the Senate. The conferees strongly urge the Department to give more consideration and a greater percentage of available funds for quality and safety improvements to research facilities.

Retains language proposed by the House directing projects to be consistent with CARES initiatives and national cemetery studies. The conferees direct reporting on all minor construction projects for fiscal year 2003 by network, region and office due with the Operating Plan.

Of funds provided over the budget request, the conferees direct $2,000,000 for water utility improvements at the Bay Pines National Cemetery, as cited in the National Shrine Commitment nation-wide study.

The conferees encourage improving entrance accessibility at the Syracuse VAMC.

PARKING REVOLVING FUND

Allows for receipts from the parking revolving fund to be available for obligation as proposed by both the House and the Senate.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

Appropriates $100,000,000 for grants for construction of state extended care facilities as proposed by both the House and the Senate.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

Appropriates $32,000,000 for grants for construction of state veterans cemeteries as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

Retains twelve administrative provisions proposed by both the House and the Senate, eleven of which were included in the fiscal year 2002 bill.

Retains language proposed by the House and the Senate eliminating the health services improvement fund, depositing all receipts in the medical care collections fund, and permanently extending the Department's authority to collect prescription copayments.

Retains language proposed by the House allowing the Department to reimburse from fiscal year 2003 salary and expenses accounts for services rendered to the Office of Resolution Management up to $29,318,000 and the Office of Employment Discrimination Complaint Adjudication up to $3,010,000. The Senate proposed a similar provision with technical differences.

Retains language proposed by the House limiting funds for medical treatment of non-service connected veterans to those who have provided accurate insurance and annual income information.

Deletes language proposed by the House delaying the implementation of the geographic means test for one year.

Deletes language proposed by the House prohibiting funds in the Act to be used to adjudicate claims arising from new concurrent receipt legislation. The conferees note that the Veterans Benefits Administration will be able to handle the claims caseload within the proposed funding level.

Retains language proposed by the House providing $19,900,000 of VA's total information technology budget for enterprise architecture activities under the Office of the Chief Information Officer.

Amends language proposed by the House regarding implementation of Public Law 107–287 by prohibiting funds for implementation of section 2 and section 5.

Deletes language proposed by the House limiting funds in medical care and the medical care collections fund for security training and equipment to $110,000,000. Directive report language is instead included under medical care.

Adds language exempting funds provided in medical care from the across-the-board rescission in Division N.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The conferees restate the reprogramming requirements with respect to amounts approved for each appropriations account within this title. The Department must limit the reprogramming of funds between the programs, projects, and activities within each account to not more than $500,000 without prior approval of the Committees on Appropriations. Unless otherwise identified in this statement of managers or committee reports, the most detailed allocation of funds presented in the budget justifications shall be considered to be approved, with any deviation from such approved allocation subject

to the normal reprogramming requirements outlined above. Further, it is the intent of the conferees that all carryover funds in the various accounts, including recaptures and deobligations, are subject to the normal reprogramming requirements outlined above. Further, no changes may be made to any program, project, or activity if it is construed to be policy or a change in policy, without prior approval of the Committees. Finally, the conferees expect to be notified regarding reorganizations of offices, programs or activities prior to the planned implementation of such reorganizations, as well as be notified, on a monthly basis, of all ongoing litigation, including any negotiations or discussions, planned or ongoing, regarding a consent decree between the Department and any other entity.

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFER AND RESCISSION OF FUNDS)

Appropriates $17,223,566,000 instead of $16,586,987,000 as proposed by the House and $16,928,697,000 as proposed by the Senate. The conference agreement does not include language proposed by the Senate to fund a portion of the section 8 voucher program through an indefinite appropriation.

The conference agreement provides a total of $12,335,932,000 for section 8 voucher renewal costs, instead of $11,751,000,000 as proposed by the House, $12,076,210,908 as proposed by the Senate, and $12,526,402,608 requested in the budget submission. The amount included assumes a 94 percent lease-up rate of the total number of authorized vouchers, adjusted to reflect an estimated national average cost of $6,372 per unit instead of the $6,005 per unit cost assumed in the budget request and assumed by the House and the Senate. The conference agreement includes language, modified from language proposed by the House, to fund section 8 vouchers in a manner that more closely reflects the actual funding requirements of the section 8 voucher program. This approach adopted by the conferees is designed to avoid the appropriation of funds in excess of actual requirements that in previous years has resulted in recaptures of funds in excess of $1,000,000,000 (and often substantially more) annually while still including sufficient flexibility to ensure that those PHAs that are able to increase their voucher usage are provided the necessary funds to assist additional families, up to their authorized level. The conferees strongly encourage PHAs that are currently below their authorized voucher level to continue to make efforts to increase the number of families assisted with section 8 vouchers.

Further, the conferees direct the Department to ensure that sufficient staffing and information technology resources are provided in fiscal year 2003 to ensure that the changes made to the section 8 program are fully implemented.

In lieu of any direction included in the House and Senate reports, the Department is directed to use the guidance set forth below in administering the programs under this account in fiscal year 2003.

The conference agreement includes language to allocate funds among the various activities as proposed by the House. Funds are allocated as follows:

Contract Renewals.—$15,278,370,500 for renewals of expiring section 8 project-based assistance contracts, amendments to section 8 project-based contracts, renewals of expiring section 8 vouchers (including enhanced vouchers), and for renewals of contracts entered into pursuant to the Emergency Low-Income Housing Preservation Act, the Low-Income Housing Preservation and Resident Homeownership Act, and section 441 of the McKinney-Vento Homeless Assistance Act.

Language is included, modified from language proposed by the House, to renew expiring section 8 tenant-based annual contributions contracts for each public housing agency based on the total number of unit months reported under lease by the PHA on its most recent end-of-year financial statement adjusted by such additional timely and reliable information submitted by the PHA to reflect the actual number of unit months under lease at the time of contract renewal, and adjusted for local and regional inflation factors. Language is also included, modified from language proposed by the House, regarding the allocation of funds to PHAs participating in the Moving to Work demonstration. The conferees note that the amounts provided for fiscal year 2003 renewals have been increased to reflect the most recent estimate of a national average per-unit cost (PUC) of $6,372, instead of the $6,005 PUC assumed in the budget submission.

Language is included prohibiting funds made available for contract renewals from being provided to a PHA to fund a total number of units under lease in excess of such PHA's authorized level of units. However, the conferees encourage PHAs to use the flexibilities provided in this Act to continue to increase the number of families assisted up to their authorized level.

Consistent with the manner in which section 8 project-based administrative costs are funded, the conference agreement includes funds for administrative expenses for the section 8 voucher program separately as proposed by the House, instead of including funds for this purpose within the amount provided for section 8 vouchers renewals as proposed by the Senate. Amounts provided for renewals are only to be used for rental subsidy costs.

Language is not included directing the Secretary to enter into contracts to renew 2,077,336 vouchers as proposed by the Senate. The House did not include a similar provision.

Central Reserve Fund.—$391,922,000 for a central reserve fund to be allocated by the Secretary for amendments to section 8 annual contributions contracts. Language is included, modified from language proposed by the House, allowing the Secretary to use amounts made available in such fund to address significant increases in per unit costs for vouchers and for costs associated with increases in the number of vouchers under lease as compared to the number of vouchers under lease at the time of the PHA's contract renewal. The conference agreement requires that PHAs use a portion of their program reserves for these purposes prior to requesting funds from the central fund to replenish such reserves. A total of $938,000,000 is available in fiscal year 2003 in program reserve accounts derived from amounts provided from other sources. The conferees note that each PHA is provided an 8 percent program reserve account at the beginning of each year, which is an additional one-month's worth of funding in addition to estimated actual requirements, to address any increased per unit costs and to allow a PHA to increase their voucher usage up to their authorized level. The conference agreement reflects the most current per unit cost data, and provides additional funds for vouchers over the amounts proposed by both the House and Senate to accommodate this known increased cost. Therefore, the conferees strongly encourage those PHAs that are below their total authorized voucher level to use amounts available in their program reserve accounts to make every effort to increase their voucher lease-up rate. To facilitate that effort, language is included requiring the Secretary to make the necessary amounts available from the central fund to any PHA that has obligated the amounts it has been provided for contract renewals and has expended fifty percent of the amounts available in its program reserve account. Once these requirements are met, the Secretary is required to replenish such reserves as necessary within thirty days of a request from such agency.

Modified language is included, similar to language proposed by the House, requiring the Secretary to submit quarterly reports to the Committees on Appropriations on the obligation of funds provided in this paragraph. Such report shall include, at a minimum, the following: the amounts made available from the central fund provided to replenish program reserves which are held by PHAs, delineated by PHA; the purpose for which the funds were provided; and the total balance remaining in the fund. The first such report is due no later than July 31, 2003.

Funds provided in the central fund are only to be used for rental subsidies. Funding for administrative expenses is provided separately under this account.

Language is included prohibiting funds made available in the central fund from being used to support a total number of units under lease in excess of a PHA's authorized level of units.

Language is not included to allow the central fund to be used to provide additional incremental vouchers to high performing public housing agencies as proposed by the House. The Senate did not include similar language.

Language is not included to allow the central fund to be used to reallocate vouchers among public housing agencies as proposed by the Senate. The House did not include similar language. In addition, the conference agreement does not include language requiring the reallocation of vouchers among public housing agencies as proposed by the Senate. The House did not include a similar provision.

Language is not included to provide an indefinite appropriation for the Section 8 voucher program to make additional funds from the Treasury available should amounts appropriated be insufficient. The House did not include a similar provision.

Tenant Protection.—$234,016,500 for rental subsidies for tenant protection activities to replace project-based section 8 assistance with section 8 vouchers, for conversion of section 202 and section 23 projects to section 8 assistance, for the family reunification program, and for the witness protection program.

Funds included for tenant protection are only to be used for rental subsidies since funds for administrative expenses are provided separately under this account.

Family Self Sufficiency Coordinators.—$48,000,000 for service coordinator staff in each public housing agency, instead of $46,000,000 as proposed by the House. The Senate did not allocate a specific amount for this purpose.

Administrative Costs—Section 8 Voucher Program.—Not to exceed $1,072,257,000 for PHA administrative costs and other expenses, of which $69,547,000 is for associated administrative expenses related to new tenant protection vouchers and additional vouchers supported from the central fund. The House proposed a total of $1,177,000,000 for this purpose, including $50,000,000 for new vouchers. The Senate did not allocate a specific amount for this purpose.

Language is included determining the distribution of funds provided as authorized under section 8(q) of the United States Housing Act of 1937, as in effect immediately before the enactment of the Quality Housing

and Work Responsibility Act of 1998 as proposed by the Senate. Language is not included limiting administrative fees and other expenses to no more than 10 percent of the rental subsidy paid and requiring administrative fee reserve balances to be used exclusively to support the section 8 program as proposed by the House. The conferees remain concerned that many PHAs have accumulated significant excess balances in reserve accounts from unspent section 8 administrative fees. Language is included prohibiting fiscal year 2003 fee payments from being made to any PHA unless such PHA reports to the Secretary on the amounts remaining in their administrative fee reserve account as of January 31, 2003. Language is also included reducing fiscal year 2003 fee payments to any PHA by any such amounts remaining available in such PHA's administrative fee reserves which exceed 105 percent of the amount of fees paid to such agency in fiscal year 2002, but exempts those PHAs whose fiscal year 2003 payments will not exceed $100,000. Language is also included requiring the Secretary to recapture any fiscal year 2003 funds provided to a PHA which are in excess of the amounts expended by such PHA for the section 8 voucher program and that are not otherwise needed to maintain an administrative fee reserve account balance of not to exceed five percent. Modified language is also included, similar to language proposed by the House, requiring the Secretary to provide a report to the Committees on Appropriations no later than July 1, 2003 on the administrative costs and other expenses associated with the section 8 voucher program. Such report shall include, but not be limited to, the following: the total amount of administrative fees paid compared to the actual amount of fees expended to administer the section 8 voucher program in fiscal year 2002; the total amount of administrative fee reserve funds used in fiscal year 2002 by PHAs to support non-section 8 voucher programs, and the purposes for which the funds were used; a comparison of the administrative fee structure used for the section 8 voucher program as compared to the project-based subsidy program; and recommendations for changes to the section 8 voucher program administrative fee structure to better align fees with actual costs. The conferees agree that the Committees on Appropriations will take the results of this study into consideration when making future funding decisions, including the appropriate level of administrative fee reserves. The Senate did not propose similar language.

Administrative Costs—Project-Based Section 8 Program.—$196,000,000 for contractors to administer the project-based section 8 program, the same amount proposed by the House and Senate.

Working Capital Fund.—Not less than $3,000,000 for transfer to the Working Capital Fund for the development of and modifications to information technology systems as proposed by both the House and the Senate.

Includes new language allowing the Secretary to transfer up to 15 percent of the funds provided for contract renewals, the central fund and administrative fees between such activities under certain circumstances and in accordance with certain procedures. Language is also included under Administrative Provisions in this title to provide the Secretary with flexibility in applying any across-the-board rescission mandated elsewhere in this Act to funds provided in this account. The conferees have included this flexibility to ensure that any such reduction does not result in a decrease in the number of families that are currently being assisted through the section 8 voucher program.

Includes language permanently requiring all PHAs to submit accounting data for funds provided under this account in this Act or any other Act by source of funds and purpose of such funds as proposed by the House. The Senate did not include similar language.

The conference agreement does not include $36,000,000 for incremental vouchers for disabled families as proposed by the House. The Senate did not include similar language. However, modified language is included, similar to language proposed by the Senate, to ensure that PHAs continue to make available vouchers previously provided for non-elderly disabled families to other non-elderly disabled families upon turnover. The House did not include similar language. The conferees direct the Department to review the effectiveness of section 8 vouchers in meeting the housing needs of persons with disabilities and report back to the Committees on Appropriations on its findings no later than August 15, 2003.

Includes language rescinding $1,600,000,000 from unobligated balances of funds appropriated in fiscal year 2002 and prior years, instead of $1,300,000,000 as proposed by the House and $1,400,000,000 as proposed by the Senate. Includes language allowing unobligated balances in programs governed by reallocation provisions to be used to meet this rescission as proposed by the Senate. The House did not include similar language. Modified language, similar to language proposed by both the House and the Senate, is included to cancel balances from certain terminated contracts.

Language is not included requiring that amounts made available for welfare-to-work vouchers remain available in subsequent fiscal years exclusively for such families upon voucher turnover or renewal as proposed by the Senate. The House did not include similar language.

The conferees direct the Department to submit quarterly reports on the project-based section 8 program to the Committees on Appropriations which identify the number of units and properties for which owners have elected to opt-out of the project-based section 8 program or pre-pay mortgages on federally-assisted properties, and the repair needs of units remaining in the project-based section 8 program.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriates $2,730,000,000 for the public housing capital fund instead of $2,683,400,000 as proposed by the Senate and $2,843,400,000 as proposed by the House.

Includes modified language, similar to language proposed by the House, designating $447,000,000 to be allocated only to those PHAs which utilized their funds in compliance with the statutory timeliness requirements pursuant to the Quality Housing and Work Responsibility Act of 1998 (QHWRA). The additional funds are to enable those PHAs to address their backlog of maintenance needs in addition to their annual maintenance requirements. The Senate did not include similar language.

Does not include language proposed by the Senate restating the applicability of the QHWRA timeliness requirements to fiscal year 1999 funds. The House did not propose a similar provision. The conferees note that this language was made permanent in the fiscal year 2002 appropriations Act.

The conferees continue to be concerned that the Department has failed to issue regulations to implement the statutory timeliness requirements of QHWRA more than four years after enactment of the statute. Until such time as final regulations are implemented, the conferees have continued the interim measures included in the fiscal year 2002 Act as a mechanism to ensure that those PHAs which have demonstrated their ability to use capital funds in a timely manner receive additional funds for their backlog maintenance needs. The conference agreement includes language, similar to language proposed by the House, directing the Secretary to issue final regulations implementing the timeliness requirements of QHWRA no later than August 1, 2003.

Includes modified language, similar to language proposed by the House and Senate, reallocating recaptured funds to PHAs designated as high-performing agencies.

Includes $51,000,000 for technical assistance, including up to $11,000,000 for remediation services to certain troubled PHAs as proposed by the House, instead of $54,000,000 for technical assistance, including up to $13,000,000 for remediation services as proposed by the Senate.

Includes no less than $18,600,000 for information technology systems and up to $500,000 for section 23 projects as proposed by the House. The Senate did not include similar language.

Includes up to $50,000,000 for emergency capital needs resulting from emergencies or natural disasters instead of up to $75,000,000 as proposed by the House and Senate. The conferees recognize the importance of emergency funds but note that given the historic use of such funds, $50,000,000 is ample to cover emergency activities for the remainder of fiscal year 2003.

The conference agreement does not include $100,000,000 for a new loan financing program of public housing associated with authorization legislation included as an administrative provision in this title as proposed by the Senate. However, the conferees are interested in exploring additional mechanisms to leverage private sector financing for improvements in public housing. The conferees further understand that some PHAs have used existing statutory authorities to successfully pursue private financing for such purposes. The conferees direct that the Department provide a report to the Committees on Appropriations no later than August 7, 2003, on those PHAs that have entered into private financing partnerships for capital modernization needs, and the results of those partnerships.

The conferees reiterate the direction included in the House report regarding quarterly reports on the obligation and expenditure of capital funds.

PUBLIC HOUSING OPERATING FUND

Appropriates $3,600,000,000 for the public housing operating fund as proposed by the House instead of $3,530,000,000 as proposed by the Senate.

Language is not included making funds available for two years as proposed by the Senate. The House did not include a similar provision.

Modified language is included, similar to language proposed by the Senate, providing up to $250,000,000 from amounts provided to make additional fiscal year 2002 operating subsidy payments to those fourth quarter PHAs that did not receive the same level of operating assistance provided to all other PHAs. The conferees are disappointed with HUD's failure to fund the fiscal year 2002 operating subsidy payments for PHAs within the level appropriated for such purpose in fiscal year 2002. The conferees believe that HUD's repeated practice of using a portion of the funds appropriated for current year operating subsidy payments to augment the amount of prior year operating subsidy payments above the level appropriated is, at a minimum, inappropriate, and question whether such practice is in violation of appropriations law. The conferees note that this inappropriate practice has resulted in operating subsidy payments being made to

PHAs at a level in excess of the amounts provided for such purpose in the appropriations Act. Therefore, the conference agreement includes language, similar to language proposed by the Senate, prohibiting funds provided for operating subsidies in fiscal year 2004 and subsequent fiscal years from being used to supplement fiscal year 2003 operating subsidy payments. The conferees reiterate the direction included in the Senate report requiring HUD to fund fiscal year 2003 operating subsidy payments solely from fiscal year 2003 funds. Further, the conferees expect the Department to have in place the necessary systems to accurately account for expenditures of operating subsidy funds.

The conferees note that, in the fiscal year 2000 appropriations Act, the Committees on Appropriations commissioned the Harvard University Graduate School of Design to conduct a study on the costs incurred to operate well-run public housing that was to then be used to inform the development of a final rule for the operating subsidy formula. The conferees understand that the final draft cost study report has recently been released and includes a number of recommendations that would result in adjustments to the operating subsidy formula to make it reflect more accurately the costs of operating well-run public housing. The recommendations indicated that PHAs can make a number of reforms consistent with the management of Federally-subsidized private and non-profit multifamily housing that would result in management and cost efficiencies in public housing. The conferees expect PHAs to adopt such practices and efficiencies, as appropriate. The conferees expect the Department to use the results and recommendations of the study as it develops a final rule for the operating subsidy formula, as directed in the fiscal year 2000 appropriations Act. Further, the conferees direct the Department to report to the Committees on Appropriations, no later than May 15, 2003, on the timeline for publishing a final operating subsidy rule and the Department's plans for using the recommendations of the cost study in the development of the final rule.

The conferees direct the Department to report to the Committees no later than August 20, 2003, on the extent to which public housing agencies have used capital funds to subsidize operating expenses and the impact of such use on critical housing rehabilitation needs. Such report should include a review of individual PHAs.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

Appropriates $574,000,000 for the revitalization of severely distressed public housing program (HOPE VI) as proposed by the House and the Senate.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $649,000,000 as proposed by the House instead of $648,570,000 as proposed by the Senate. Of the total amount, $4,000,000 is for inspections, training, and technical assistance instead of $3,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

Language is not included allowing the Secretary to provide technical and financial assistance for problems associated with mold as proposed by the Senate. The House did not include a similar provision. The conferees understand that such language is unnecessary since the current statutory authorities allow the Secretary to provide such assistance. The conferees direct the Secretary to continue to provide such assistance as authorized under the existing statute.

The conferees reiterate the direction included in the Senate report regarding the use of qualified Native-owned firms in the design and construction of Indian housing.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $5,300,000 for guaranteed loans for Native American housing on trust lands as proposed by the House instead of $5,000,000 as proposed by the Senate.

Of the total amount, $100,000 is for the Indian Land Title Report Commission as proposed by the House. The Senate did not propose similar language.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,035,000 for guaranteed loans for Native Hawaiian housing as proposed by the House instead of $1,000,000 as proposed by the Senate.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

Appropriates $292,000,000 for housing opportunities for persons with AIDS (HOPWA) as proposed by both the House and the Senate.

In lieu of the language included in the Senate report, the Department is directed to renew all expiring HOPWA contracts for permanent supportive housing funded under the non-formula component of the HOPWA program to the extent that such projects meet all other program requirements consistent with the language included in the conference agreement.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

Appropriates $25,000,000 for rural housing and economic development as proposed by both the House and Senate. Language is included requiring funds to be awarded by June 1, 2003 as proposed by the House instead of June 1, 2004 as proposed by the Senate.

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

Appropriates $30,000,000 for grants to the second round of empowerment zones as proposed by both the House and Senate. Language is included making funds available for obligation for three years as proposed by the House, instead of no-year authority as proposed by the Senate.

Language is not included making the expenditure of funds in future years contingent upon the enactment of tax legislation as proposed by the Senate. The House did not include similar language. The conferees continue to maintain that this program should be treated as a mandatory program consistent with the Round I empowerment zones, rather than as a discretionary program.

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $4,937,000,000 for various activities funded in this account, instead of $5,000,000,000 as proposed by the House and the Senate. The conferees agree to the following:

$4,367,930,000 for formula grants under the Community Development Block Grant program (CDBG), instead of $4,577,000,000 as proposed by the House and $4,580,200,000 as proposed by the Senate. The amount provided represents an increase of $26,930,000 above the fiscal year 2002 level;

$71,000,000 for grants to Indian tribes instead of $70,000,000 as proposed by the House and $72,500,000 as proposed by the Senate;

$3,300,000 for the Housing Assistance Council as proposed by the House and the Senate;

$2,400,000 for the National American Indian Housing Council instead of $2,200,000 as proposed by the House and $2,600,000 as proposed by the Senate;

$49,100,000 for section 107 grants, instead of $33,500,000 as proposed by the House and $45,500,000 as proposed by the Senate. Within the amount provided for section 107 grants, the conference agreement provides the following earmarks:

$7,000,000 for insular areas;

$10,000,000 for historically black colleges and universities. The conferees expect that up to $2,000,000 of these funds will be used to provide technical assistance to ensure that the intended recipients can utilize more fully the funds provided;

$3,000,000 for community development work study;

$6,500,000 for Hispanic serving institutions;

$7,000,000 for the Community Outreach Partnerships program;

$3,000,000 for tribal colleges and universities;

$3,000,000 for Alaska Native-Serving Institutions and Native Hawaiian-Serving Institutions; and

$9,600,000 for assistance under the Hawaiian Homelands Homeownership Act of 2000. The House proposed $9,600,000 for this activity as a separate set aside under this account;

$5,000,000 for the National Housing Development Corporation for continuation of its program of acquisition, rehabilitation, and preservation of at-risk affordable housing, including $2,000,000 for operating expenses as proposed by the House. The Senate did not propose funding for this program;

$5,000,000 for the National Council of La Raza HOPE Fund, of which $500,000 is for technical assistance and fund management and $4,500,000 is for investments and financing as proposed by the House. The Senate did not propose funding for this program;

$9,000,000 for Neighborhood House in St. Paul, Minnesota for construction of the Paul and Sheila Wellstone Center for Community Building, instead of $5,000,000 as proposed by the Senate. The House did not propose funding for this program;

$25,250,000 for grants to eligible grantees under section 11 of the Self Help Housing Opportunity Program, instead of $28,500,000 as proposed by the House and $22,000,000 as proposed by the Senate;

$32,500,000 for capacity building instead of $29,500,000 as proposed by the House and $35,500,000 as proposed by the Senate. Of this amount, $28,250,000 shall be for LISC and the Enterprise Foundation, of which at least $5,000,000 is for rural areas. Additionally, $4,250,000 is for Habitat for Humanity International, instead of $4,500,000 as proposed by the House and $4,000,000 as proposed by the Senate;

$60,000,000 for Youthbuild instead of $65,000,000 as proposed by the House and the Senate;

$261,000,000 for economic development initiatives instead of $144,600,000 as proposed by the House and $130,500,000 as proposed by the Senate. In lieu of the direction included in the House report, the conferees note that projects receiving funds must comply with the environmental review requirements set forth in section 305(c) of the Multifamily Housing Property Disposition Act of 1994 (42 U.S.C. 3547). The conferees will not entertain waivers of such requirements. In addition, funds provided for projects shall not be used for reimbursement of expenses incurred prior to the receipt of economic development initiative funding. Modified language is included, similar to language proposed by the House and Senate, targeting funds made available under this program. Because of tight budget constraints, the conferees reduced funding for these targeted grants by 10 percent from the amounts originally proposed in the House and Senate reports. Targeted grants shall be made as follows:

1. $202,500 to continue the rehabilitation of the former Alaska Pulp Company mill site in Sitka, Alaska;

2. $202,500 to the City of Craig, Alaska for construction of a Marine Industrial Park;

3. $405,000 to the City of Petersburg, Alaska for construction of an aquatic center;

4. $450,000 for the Mananuska-Susitna Borough for an agricultural processing facility in Wasilla, Alaska;

5. $450,000 for Ketchikan, Alaska for the Tongass Coast Aquarium in Ketchikan, Alaska;

6. $450,000 for the Southside Community Center in Fairbanks, Alaska for an addition;

7. $450,000 for the Alaska-Siberian Research Center World War II Lend Lease memorial in Fairbanks, Alaska;

8. $900,000 for Alaska Pacific University for the restoration of an historic property in Anchorage, Alaska;

9. $900,000 for Petersburgh, Alaska for waterfront improvements;

10. $1,400,750 for the Rasmussen Foundation for housing redevelopment in Anchorage, Alaska;

11. $22,500 to the Northwest Alabama Children's Advocacy Center in Florence, Alabama for facility renovations;

12. $45,000 to the City of Athens, Alabama for construction of an Alabama Korean War Veterans Memorial;

13. $45,000 to the City of Tuscumbia, Alabama for construction of facilities associated with the Helen Keller festival;

14. $90,000 for construction of the Northeast Etowah County Community and Senior Center, Alabama;

15. $90,000 to the Birmingham, Alabama Regional Planning Commission for an economic development planning study;

16. $90,000 to the City of Decatur, Alabama for planning for a Technical Training Center;

17. $90,000 to the Historic Huntsville Foundation in Huntsville, Alabama for sidewalks, curbs, street lighting, outdoor furniture and facade improvements in the Mill Village neighborhood;

18. $90,000 to the Northwest Alabama Mental Health Center for facilities renovation;

19. $90,000 for the City of Prattville, Alabama for the Boys and Girls Club of Prattville;

20. $97,200 to the Randolph County Commission for facilities renovation for the restoration of the historic Randolph County Courthouse and Annexes in Wedowee, Alabama;

21. $121,500 to the Clay County Commission for facilities renovations for the restoration of the historic Clay County Courthouse, Alabama;

22. $135,000 to the City of Huntsville, Alabama for facilities construction for the Alabama Constitution Village Plaza;

23. $135,000 to Collinsville, Alabama for construction or renovation of the Collinsville Public Library;

24. $135,000 to the Russellville Hispanic Coalition of Alabama for building renovations;

25. $180,000 for Lawson State Community College in Alabama for facilities construction for an information technology training and placement service center;

26. $180,000 to Fayette County, Alabama for construction of the Fayette County Agribusiness Facility;

27. $202,500 to Huntingdon College in Montgomery, Alabama for repairs and renovations to the Bellingrath Natural Sciences facility;

28. $202,500 to Jefferson County, Alabama for renovation and expansion of the Leroy Brown Health Education Building;

29. $202,500 to the National Peanut Festival Fairgrounds for construction of the National Peanut Festival Agriculture Arena in Dothan, Alabama;

30. $225,000 to the Northwest Alabama Council of Local Governments in Muscle Shoals, Alabama for the construction of a joint economic development facility to be used by the Shoals Economic Development Authority and the Shoals Chamber of Commerce;

31. $225,000 for the City of Talladega, Alabama for the restoration of the Historic Antique Talladega;

32. $270,000 for Haleyville, Alabama for a downtown revitalization project;

33. $675,000 to the National Children's Advocacy Center in Huntsville, Alabama for construction of a research and training campus;

34. $710,000 for the Mobile Historic Development Commission in Mobile, Alabama for a Neighborhood Initiative Program;

35. $1,507,000 to Spring Hill College in Mobile, Alabama for construction of a new library and Regional Resource Learning Center;

36. $2,700,000 to Tuscaloosa, Alabama for the Tuscaloosa Downtown Revitalization Project;

37. $180,000 to the City of Bradley, Arkansas for construction of a community center;

38. $180,000 for the City of Dermott, Arkansas for the Dermott City Community Nursing Home expansion;

39. $202,500 for construction of the North Arkansas College Conference and Workforce Center in Harrison, Arkansas;

40. $270,000 for the Florence Crittenden Home in Little Rock, Arkansas for the expansion of services, education programs, and emergency shelter;

41. $450,000 for the Arkansas YMCAs for program development;

42. $900,000 for Arkansas State University at Mountain Home for construction of the Vada Sheid Community Center and to develop community outreach programs;

43. $157,500 to the County of Santa Cruz, Arizona for restoration of a historic building;

44. $180,000 to the Town of Guadalupe, Arizona for renovations to the Mercado shopping center;

45. $202,500 to the Boys and Girls Club of Scottsdale for facility construction in Fountain Hills, Arizona;

46. $364,500 to the National Law Center for Inter-American Free Trade in Tucson, Arizona for facilities construction;

47. $405,000 to Arizona State University for facilties construction for the Center for Basic Research and Applied Research within the Barry M. Goldwater Center for Science and Engineering;

48. $45,000 to Southeast-Rio Vista YMCA in Huntington Park, California for renovation of a building;

49. $45,000 to Food Share, Inc. of Ventura County, California for development of a new warehouse facility;

50. $76,500 to the Tri-Counties Easter Seals for construction of a child development center in Ventura County, California;

51. $81,000 to the County of San Bernardino, California for facilities renovation, sidewalk and facade improvements of the Crestline Revitalization/Houston Creek project;

52. $81,000 to the County of San Bernardino, California for facilities expansion for the Big Bear Zoo;

53. $90,000 to Occidental College in Los Angeles, California for continued construction of a science center;

54. $90,000 to the American Film Institute in Los Angeles, California for renovation of facilities;

55. $90,000 to the Boys and Girls Club of National City, California for facilities repairs at the Wayne Sevier Memorial Gymnasium;

56. $90,000 to the City of Carpinteria, California for facilities modernization and renovation of the Carpinteria Veteran's Memorial Building;

57. $90,000 to the City of El Monte, California for construction of a teen and education center;

58. $90,000 to the City of Fontana, California for restoration and renovation of recreational facilities;

59. $90,000 to the City of Garden Grove, California for facilities construction at the West Haven Community Center;

60. $90,000 to the City of La Puente, California for construction of a youth activity and learning center;

61. $90,000 to the City of Lawndale, California for construction of a new senior center;

62. $90,000 to the City of Palo Alto, California for the rehabilitation and expansion of the Childrens' Library;

63. $90,000 to the City of San Fernando, California for a feasibility study of business redevelopment focused on major commercial corridors;

64. $90,000 to the Contra Costa Community College in California for the Regional Training Institute's facility renovation;

65. $90,000 to the Intergenerational Daycare Center, Organization for the Needs of the Elderly in Van Nuys, California for facility construction;

66. $90,000 to the Tech Museum of Innovation in San Jose, California for renovations necessary for theater improvements;

67. $90,000 to the Watts Theatre and Education Center in Los Angeles, California for renovations to the center;

68. $90,000 to the YMCA of San Francisco, California for construction of a facility in the Bayview-Hunters Point neighborhood and rehabilitation of the Chinatown facility;

69. $90,000 to Children's Hospital, San Diego, California for facilities construction for the Convalescent Hospital;

70. $90,000 to Kelseyville Senior Center in Lake County, California for renovations of a facility into a senior center;

71. $90,000 for the Arcata House Inc., California for facility renovations;

72. $112,500 for El Rescate in Los Angeles, California for renovation of a facility to house a social service agency;

73. $112,500 to the SRO Housing Corporation in Los Angeles, California for facilities construction for the James Wood Memorial Community Center;

74. $121,500 to the City of Lancaster, California for renovation of the Antelope Valley Mental Health Association headquarters building;

75. $121,500 to the City of Twentynine Palms, California for construction of the Twentynine Palms Visitor Center;

76. $121,500 to the Hi-Desert Medical Center in Joshua Tree, California for facilities expansion for the Obstetrics Center;

77. $121,500 to the History Department of the Natural History Museum of Los Angeles County for facility improvements for the William S. Hart Museum in Newhall, California;

78. $135,000 to the City of San Rafael, California for renovation of the Pickleweed Park Community Center;

79. $135,000 to the City of Santa Monica, California for renovation of a historic structure for use as a visitor center;

80. $135,000 to the Spanish Speaking Unity Council in Oakland, California for rehabilitation of affordable elderly housing;

81. $162,000 to the City of Lancaster, California for facilities construction and improvements for the National Soccer Center;

82. $162,000 to the City of Temecula, California for construction of the Gymnasium-Old Town Temecula;

83. $162,000 to the Community Action Partnership of Kern, California for construction of a food bank;

84. $180,000 to the City of Vallejo, California for historic structure renovations at Mare Island;

85. $180,000 to the Sacramento Housing and Redevelopment Agency in Sacramento, California for construction of a learning center;

86. $202,500 to the Agua Caliente Cultural Museum in Palm Springs, California for facilities construction;

87. $202,500 to the City of Diamond Bar, California for construction of a community center;

88. $202,500 to the City of Ripon, California for construction of a Youth Center Complex;

89. $202,500 to the City of Riverside, California for facilities construction for the Riverside Regional Technology Transfer Center;

90. $202,500 to the City of Stockton, California for renovation of the Fox Theatre;

91. $202,500 to the East County YMCA in La Mesa, California for facilities construction and improvements;

92. $202,500 to the Sweetwater Authority for recreation facilities construction at Sweetwater and Loveland Reservoirs in San Diego County, California;

93. $225,000 to the City of Eureka, California for construction of a waterfront facility as part of the downtown revitalization;

94. $225,000 for Covenant House California in Oakland to purchase and renovate a building;

95. $225,000 to the Martin Luther King Jr., Freedom Center in Oakland, California to build a community center;

96. $225,000 to the Center Theater Group of Los Angeles, California for the Culver Theater project;

97. $225,000 for the Corporation for Supportive Housing in California for a homeless intervention program;

98. $243,000 to the Fund for the Preservation of the California State Mining and Mineral Museum for facilities construction in Mariposa, California;

99. $270,000 to the City of Salinas, California for construction of recreational facilities;

100. $283,500 to the City of Citrus Heights, California for facilities construction for the Sayonara Neighborhood revitalization project;

101. $283,500 to the City of Shasta Lake, California for construction of a senior housing complex;

102. $324,000 to the Kern County Office of Education for facilities construction for the the Mobility Opportunities via Education project in Southeast Bakersfield, California;

103. $324,000 to the West Side Park and Recreation District for renovation of the Taft Community Pool in Taft, California;

104. $360,000 to the City of San Francisco, California for construction of the Mission Bay Senior Housing Project;

105. $405,000 to the City of San Diego, California for construction of the Elm Street residences for transitional housing;

106. $405,000 to the Boys and Girls Club of Las Virgenes, Inc. for facilities construction in the City of Thousand Oaks, California;

107. $405,000 to the City of La Mesa, California for facilities construction and improvements for the La Mesa PARKS Project;

108. $405,000 to the City of Westminster, California for construction of a community center;

109. $405,000 to the Palomar YMCA in Escondido, California for construction of an aquatic center;

110. $405,000 to the Town of Apple Valley, California for construction of an aquatic center;

111. $450,000 for the City of Inglewood, California for the construction of a senior center;

112. $450,000 for the City of Fresno, California for the redevelopment of the Roeding Business Park;

113. $540,000 for the City of Madera, California for a community cultural and youth center;

114. $675,000 for the City of East Palo Alto, California for redevelopment to Ravenswood Industrial Area;

115. $810,000 to the City of Rancho Cucamonga, California for construction of a senior center;

116. $90,000 to Arvada Center for the Arts and Humanities in Arvada, Colorado for facilities expansion;

117. $90,000 to the City of Aurora, Colorado for planning related to Fitzsimons Commons;

118. $405,000 to the Harp Foundation for construction of the Historic Arkansas Riverwalk ''Link'' Project of Pueblo, Colorado;

119. $900,000 for the Denver Art Museum, in Denver, Colorado;

120. $1,800,000 for Colorado UpLift;

121. $90,000 to the City of Meriden, Connecticut for a study to determine the feasibility of the construction of a community play house and arts center;

122. $90,000 to the City of Waterbury, Connecticut for an economic feasibility study focused on construction of a multi-purpose sports facility;

123. $90,000 to Sacred Heart University in Fairfield, Connecticut for library facilities renovations;

124. $135,000 to the town of Newtown, Connecticut for future use planning and renovation of the Batshelder property;

125. $180,000 to Domestic Violence Services of Greater New Haven, Connecticut for renovation and construction of a facility for transitional housing;

126. $225,000 to Columbus House, Inc. in New Haven, Connecticut for construction of an emergency shelter for homeless adults;

127. $270,000 for the Wadsworth Atheneum Museum of Art in Hartford, Connecticut for expansions and renovations;

128. $270,000 for Hall Neighborhood House in Bridgeport, Connecticut to build a child care center;

129. $283,500 to Mystic Seaport for a facilities restoration and conversion project of the American Maritime Education and Research Center in Mystic, Connecticut;

130. $360,000 for the Town of Ledyart, Connecticut to build a public safety services building;

131. $360,000 for the Hartt School of Performing Arts Education Center in West Hartford, Connecticut for building renovations;

132. $405,000 to the Environmental Learning Centers of Connecticut for facilities expansion for the Harry C. Barnes Memorial Nature Center in Bristol, Connecticut;

133. $405,000 to the New Britain Museum of American Art in New Britain, Connecticut for facility construction;

134. $67,500 for Arena Stage for facilities construction in the District of Columbia;

135. $180,000 for the Seaford Historical Society in Seaford, Delaware for the renovation of a vacant property;

136. $360,000 for the Riverfront Development Corporation in Wilmington, Delaware for an environmental education center;

137. $450,000 for the Wilmington Housing Authority, Delaware for redevelopment of blighted land;

138. $90,000 to St. Petersburg, Florida for completion of facilities improvements at the Florida Botanical Garden and Folk Cultural Center;

139. $112,500 to Santa Fe Community College in Gainesville, Florida for construction of a fine arts building;

140. $112,500 to the City of Gainesville, Florida for sidewalk and curb improvements;

141. $202,500 to the City of Clearwater, Florida for waterfront facilities construction of the ''Beach by Design Initiative'';

142. $202,500 to the City of Jacksonville, Florida for facilities construction for the Patriots Village Transitional Housing Community;

143. $202,500 to the City of Ocoee, Florida for construction of a senior citizens/veterans services center;

144. $202,500 to the City of Riviera Beach, Florida for construction and renovation of facilities as part of the Urban Commercial Retail Development Project;

145. $202,500 to the City of Sanford, Florida for construction of a parking facility at the Hotel Conference Center;

146. $202,500 to the MainStreet Deland Association, Inc. for restoration of the Athens Theatre in Deland, Florida;

147. $202,500 to the Tampa, Florida Port Authority for facilities construction and renovation of a terminal;

148. $225,000 for Family Resources of St. Petersburg, Florida for construction of a crisis shelter and family counseling center;

149. $225,000 to Bethune Cookman College in Daytona Beach, Florida for construction of a community services center and student union;

150. $225,000 to the Community Aging and Retirement Services (CARES) of Pasco County, Florida for renovation and build out of the Crescent Enrichment Center & Theater in Dale City, Florida;

151. $270,000 for the Jacksonville Port Authority, Florida for brownfields clean-up;

152. $324,000 to the Wolfsonian-Florida International University of Miami Beach, Florida for facilities expansion and improvements;

153. $337,500 to the City of Plantation, Florida for construction of an amphitheater;

154. $360,000 for the City of Largo, Florida for construction of a new downtown Largo library;

155. $360,000 to Refuge House in Tallahassee, Florida for construction of a battered women's shelter;

156. $405,000 to the Central Florida Community College in Marion County, Florida for facilties construction for an information technology center;

157. $405,000 to the Florida International University College of Law in Miami, Florida for construction of facilities for a student legal clinic;

158. $450,000 for facilities construction for the Stetson University College of Law, Tampa, Florida campus;

159. $675,000 for facilities construction for Tampa Bay Watch in Florida;

160. $675,000 for the City of Daytona Beach, Florida for boardwalk area revitalization;

161. $900,000 for Eckerd College in St. Petersburg, Florida for the expansion of the Youth Opportunity and Development Center;

162. $900,000 for the City of St. Petersburg, Florida, Manhattan redevelopment project for facilities renovation and improvements for a business development center;

163. $900,000 for the historic restoration and renovation of the Biltmore Hotel in Coral Gables, Florida;

164. $166,000 to the City of Savannah, Georgia for development of the Savannah Battlefield Park Heritage Center;

165. $180,000 to Morehouse College in Atlanta, Georgia for construction of a performing arts center;

166. $202,500 for facilities construction for the Dual Rail Industrial Park in Dooly County, Georgia;

167. $202,500 for the Tommy Nobis Center in Marietta, Georgia for facilities renovations and improvements;

168. $202,500 for the Warner Robins Museum of Aviation in Houston County, Georgia for expansion of facilities for the Century of Flight exhibit;

169. $202,500 to Mercer University of Macon, Georgia for facilities construction for the Critical Personnel Development Program;

170. $202,500 to Rockdale County, Georgia for facilities construction for the Georgia Veterans Park;

171. $202,500 to Wesleyan College of Macon, Georgia for the restoration and renovation of historic buildings;

172. $270,000 for College Partners Inc. in Atlanta, Georgia for neighborhood revitalization;

173. $270,000 for the Tubman Museum in Macon, Georgia for a new facility;

174. $283,500 for the preservation of historic buildings at Georgia College and State University, a Historically Women's Public College and University;

175. $405,000 to the Liberty County, Georgia Development Authority for facilities construction at the Coastal MegaPark;

176. $450,000 for Spellman College in Atlanta, Georgia for renovations of Packard Hall;

177. $450,000 for the Dekalb County Community Center, Georgia for the construction of a community center;

178. $900,000 for Ebenezer Baptist Church in Atlanta, Georgia for the continued construction of a senior center;

179. $135,000 to the YMCA of Honolulu, Hawaii for construction of a multi-purpose community and recreation center;

180. $180,000 for the Waianae Coast Comprehensive Health Center, Hawaii for construction of an expanded facility;

181. $270,000 for the Nanakuli Neighborhood in Oahu, Hawaii for housing management classes;

182. $270,000 for the State of Hawaii for the Boys and Girls Club of Hawaii;

183. $450,000 for the County of Kauai, Hawaii for the West Kauai High Tech Training Facility;

184. $450,000 for the Alternative Structures International in Waianae, Hawaii for expansion of housing facilities;

185. $675,000 for the County of Hawaii for the construction of an emergency homeless shelter in Kailua-Kona;

186. $675,000 for the County of Maui, Hawaii for senior housing;

187. $90,000 to the Mahaska County Crisis Intervention Services Domestic Shelter in Oskaloosa, Iowa for facilities renovation of the domestic shelter;

188. $270,000 to the City of Clinton, Iowa for development in the business park area;

189. $270,000 to the Mid-American Housing Partnership in Cedar Rapids, Iowa for the Housing Trust Fund;

190. $270,000 to the City of Cedar Rapids, Iowa for brownfields redevelopment;

191. $360,000 to the City of Council Bluffs, Iowa for land acquisition and clean-up;

192. $360,000 to the City of Waterloo, Iowa for redevelopment of the Rath area brownfields and housing development;

193. $360,000 to the City of Dubuque, Iowa for land acquisition and clean-up;

194. $360,000 to the City of Davenport, Iowa for the Scott County Housing Council trust fund;

195. $405,000 to Systems Unlimited, Inc. in the Iowa City/Cedar Rapids community, Iowa for facilities expansion;

196. $405,000 to the City of Fort Dodge, Iowa for facility renovations for the Senior Citizens Campus project;

197. $450,000 to the City of Des Moines, Iowa for facilities construction for the Des Moines Agrimergent Technology Park;

198. $225,000 for Lewis-Clark State College for the Idaho Virtual Incubator;

199. $225,000 for the Historic Silver City Foundation in Silver City, Idaho for the restoration of the historic Silver City School;

200. $324,000 to Idaho State University for construction of the L.E. and Thelma E. Stephens Performing Arts Center;

201. $450,000 for the Clearwater Economic Development Association in Clearwater, Idaho for the Lewis and Clark Bicentennial Solid Waste Disposal program;

202. $450,000 for Boise State University, Idaho for a Center for Environmental Science and Economic Development;

203. $900,000 for the Clearwater Economic Development Association in Clearwater, Idaho for the implementation of the Lewis and Clark Bicentennial Plan;

204. $67,500 to Ridgeway Senior Center in Gallatin County, Illinois for renovation of the senior center;

205. $67,500 to Norris City Senior Center in White County, Illinois for renovation of the senior center;

206. $81,000 to Family House in Peoria, Illinois for facilities construction;

207. $81,000 to the City of Normal, Illinois for facilities construction according to the downtown redevelopment plan;

208. $90,000 to Family Focus in Evanston, Illinois for facilities improvements;

209. $90,000 to Haymarket Center in Chicago, Illinois for renovations to a facility to serve as a drug intervention center;

210. $90,000 to Oak Lawn Children's Museum in Oak Lawn, Illinois for facilities renovations;

211. $90,000 to the Brookfield Zoo in Brookfield, Illinois for construction of a learning center;

212. $90,000 to the Village of Hampton, Illinois for construction of the Hampton Heritage Center;

213. $90,000 to the Village of Riverside, Illinois for restoration of a historic structure;

214. $90,000 to the Village of South Holland, Illinois for facilities improvements for its community center;

215. $90,000 to the Chicago, Illinois Parks District for construction of a fieldhouse located at 39th and Cottage Grove;

216. $135,000 to Lewis and Clark Community College in Godfrey, Illinois for construction of the Great Rivers Research and Education Center;

217. $135,000 to the Village of Olympia Fields, Illinois for construction of a hall, public library and upgraded commuter station;

218. $162,000 to Eureka College, Illinois for continued construction of the Science and Technology Center;

219. $162,000 to Joliet Junior College in Joliet, Illinois for construction of a multipurpose agricultural education and event center;

220. $162,000 to the Centers for the Prevention of Abuse for facilities construction in Peoria, Illinois;

221. $180,000 to the Safer Foundation in Chicago, Illinois for renovation of a building into transitional housing;

222. $180,000 for the City of Freeport, Illinois for a new library building;

223. $202,500 to DuPage County, Illinois for facilities renovations for the Convalescent Center Rehabilitation Project;

224. $202,500 to Roosevelt University of Chicago, Illinois for renovations to the auditorium building;

225. $202,500 to the American Red Cross of Greater Chicago, Illinois for facilities construction;

226. $202,500 to the City of DeKalb, Illinois for rehabilitation of facilities for the Downtown Community Center;

227. $202,500 to the Northfield Park District in Northfield, Illinois for facilities construction;

228. $225,000 for the Youth Services Bureau of Illinois in LaSalle County for improvements and relocation of facilities;

229. $225,000 for Cornerstone Services in Joliet, Illinois for renovation of facility;

230. $225,000 for the City of Quincy, Illinois to renovate the historic downtown Washington Theatre;

231. $225,000 for the City of Peoria, Illinois for infrastructure improvements to foster economic development in the biosciences field;

232. $243,000 for facilities renovation for Teen Challenge in Decatur, Illinois;

233. $360,000 for the Mercy Home for Boys and Girls in Chicago, Illinois for facility expansion;

234. $360,000 for the Merit School of Music in Chicago, Illinois for the construction of a new facility;

235. $405,000 to the City of Elgin, Illinois for construction of pedestrian improvements;

236. $450,000 for the City of Chicago, Illinois for cleanup associated with economic development in Chicago's Pilsen/Little Village Community;

237. $450,000 to the Chicago Park District for Phase II of Ping Tom Memorial Park development in Chicago's Chinatown community;

238. $607,500 to the Village of Addison, Illinois for facilities construction for the Addison Neighborhood Resource Center and Park;

239. $1,260,000 to Rush-Presbyterian St. Luke's Medical Center in Chicago, Illinois for renovations to the life safety and infant security facilities;

240. $135,000 to the City of Indianapolis, Indiana for construction at the Life Sciences Research Park;

241. $283,500 to Tri-State University for facilities construction for the Center for Technology and On-Line Resources in Angola, Indiana;

242. $405,000 to Madison Township, Indiana for construction of a community center;

243. $405,000 to the James Whitcomb Riley Hospital for Children in Indianapolis, Indiana for improving inpatient facilities for the Chistian Sarkine Autism Center;

244. $900,000 to Purdue University in West Lafayette, Indiana for facilities construction for the Northwest Indiana Purdue Technology Center;

245. $90,000 for facilities renovations and improvements for the Evergreen Public Library in Wichita, Kansas;

246. $135,000 to the Unified Government of Wyandotte County and Kansas City, Kansas for sidewalk and curb improvements;

247. $234,000 for facilities renovation and expansion of the Oaklawn Community Resource Center in Sedgwick County, Kansas;

248. $283,500 to the City of Atchison, Kansas for construction of a riverfront plaza;

249. $283,500 to the Reno County Historical Society for the Kansas Underground Salt Museum in Hutchinson, Kansas for facilities construction and improvements;

250. $450,000 for the City of Wichita, Kansas for the development of Mennonite Housing;

251. $720,000 for Topeka, Kansas for redevelopment activities in Topeka, Kansas;

252. $66,150 to Kentucky Refugee Ministries in Louisville, Kentucky for renovation of facilities;

253. $67,500 to the Salvation Army/Boys and Girls Club—Northfolk, in Louisville, Kentucky for the renovation of the Northfolk community center;

254. $90,000 to the Greater Community Council in Louisville, Kentucky for construction of a facility for low-income, disabled persons;

255. $135,000 to Owen County, Kentucky for facilities construction;

256. $202,500 to Interlink Counseling in Louisville, Kentucky for facilities construction;

257. $202,500 to the City of Lebanon, Kentucky for facilities construction for the Center Square project;

258. $225,000 for the Trinity Family Life Center in Louisville, Kentucky for facilities construction for afterschool programs;

259. $225,000 to the Community Economic Empowerment Corporation of Louisville, Kentucky for construction of a community and family recreation center;

260. $225,000 to the First Gethsemane Center in Louisville, Kentucky for renovation of facilities;

261. $225,000 to the Shiloh Community Renewal Center in Louisville, Kentucky for facilities reconstruction and rehabilitation;

262. $270,000 for the renovation of the Americana Community Center in Louisville, Kentucky;

263. $283,500 to the Montgomery County Fiscal Court of Kentucky for continued construction of a community center;

264. $283,500 to the Monroe County Wellness Center, Inc. of Monroe County, Kentucky for facilities construction;

265. $405,000 to Pine Mountain Settlement School of Harlan County, Kentucky for facilities expansion and renovation;

266. $405,000 to the London-Laurel County Tourist Commission, Kentucky for facilities construction for the Blue-Gray Civil War Theme Park;

267. $2,700,000 for construction of the University of Louisville library in Louisville, Kentucky;

268. $67,500 to Iberia Parish, Louisiana for construction of the New Iberia conference center;

269. $67,500 to St. Mary Parish, Louisiana for construction of a wildlife refuge interpretive center;

270. $67,500 to the City of Donaldsonville, Louisiana for construction of riverfront recreational facilities;

271. $67,500 to the Town of Golden Meadow, Louisiana for construction and renovation of recreation facilities;

272. $67,500 to the Village of Cankton, Louisiana for facilities renovations for a community center;

273. $81,000 to the City of New Iberia, Louisiana for facilities construction as described in the master plan;

274. $81,000 to the New Orleans Regional Planning Commission, Louisiana for recreational facilities improvements and buildout for St. Bernard, St. Charles and Plaquemines;

275. $81,000 to the Town of Grand Isle, Louisiana for construction and buildout of the Isle Multi-Use Facility;

276. $90,000 to the City of Port Allen, Louisiana for economic development planning and facilities construction;

277. $90,000 to the Amistad Research Center in New Orleans, Louisiana for facilities construction;

278. $90,000 to the Mirabeau Family Learning Center, Inc. in New Orleans, Louisiana for facilities construction;

279. $90,000 for the City of Opelousas, Louisiana, for downtown development;

280. $112,500 to the Acadia Economic Development Corporation in Crowley, Louisiana for facilities construction for a business incubator;

281. $112,500 for the Nellie Byers Training Center in Bogalusa, Louisiana for the construction of a new center;

282. $162,000 to Nicholls State University in Thibodaux, Louisiana for facilities construction for the Advanced Technology Center;

283. $162,000 to the Port of South Louisiana for facilities construction for the Globalplex Intermodal Terminal;

284. $162,000 to the Tangipahoa Parish School System in Loranger, Louisiana for renovation and restoration of the Loranger High School building;

285. $180,000 for the City of Shreveport, Louisiana for the redevelopment of a bus terminal;

286. $182,250 to the City of Mandeville, Louisiana for the construction of an interpretive center as part of the Mandeville Trailhead project;

287. $202,500 for the National Federation of the Blind, Center for the Blind in Louisiana for facilities construction for the National Research and Training Institute for the Blind;

288. $225,000 to Plan Baton Rouge, Louisiana for building renovations;

289. $225,000 for Dillard University, New Orleans, Louisiana for the International Center for Economic Freedom;

290. $225,000 for Advocates for Science and Math Education, New Orleans, Louisiana for construction of a building for the New Orleans Center for Science and Math;

291. $270,000 for the City of Vidalia, Louisiana for riverfront redevelopment;

292. $405,000 for the Audubon Nature Institute in New Orleans, Louisiana for revitalization of a historic building;

293. $450,000 for the Ernest Morial New Orleans Exhibition Hall Authority in Louisiana for the expansion of the Morial Convention Center;

294. $450,000 for the University of Louisiana, Lafayette for the National Wetlands Research Center;

295. $450,000 for the Biomedical Research Foundation in Shreveport, Louisiana for infrastructure improvements and development of an incubator;

296. $607,500 for the Biomedical Research Foundation of Northwest Louisiana for construction of the InterTech science park;

297. $90,000 to Goodwill Industries of Springfield, Massachusetts for facilities renovations;

298. $112,500 to the Veterans Benefit Clearinghouse in Roxbury, Massachusetts for facilities renovation and modernization;

299. $135,000 to Salem State College in Massachusetts for construction of an arts center/theater;

300. $135,000 for Assumption College, Worcester, Massachusetts for a science and technology center;

301. $150,000 to the Franklin County Council of Governments in Greenfield, Massachusetts for an economic development blueprint for the Northern Tier;

302. $157,500 to the City of Lowell, Massachusetts for construction of the Jackson/Appleton/Middlesex Area garage;

303. $225,000 for the New Bedford Historical Society, Massachusetts for the rehabilitation and restoration of the Nathan and Polly Johnson House;

304. $225,000 for the Mystic Valley Development Corporation in Medford, Massachusetts for the development of a technology and research center;

305. $270,000 to the City of Springfield, Massachusetts for renovations of a facility to house a public market;

306. $315,000 for the Western Massachusetts Enterprise Fund, Inc.'s small business and microenterprise loan and development programs;

307. $322,500 to Girls Incorporated in Pittsfield, Massachusetts for facilities renovation;

308. $405,000 to the Massachusetts College of Pharmacy and Health Sciences for construction of a new multi-use educational facilities;

309. $450,000 for the Gardner-Kirby-Hammond Street neighborhood revitalization project in Worcester, Massachusetts;

310. $450,000 for the City of Boston, Massachusetts for development of low and moderate income housing;

311. $90,000 to the City of District Heights, Maryland for facilities construction in its commercial area;

312. $90,000 to the City of La Plata, Maryland for planning of a parking facility;

313. $90,000 to the Melwood Horticultural Center in Upper Marlboro, Maryland for planning necessary to construct a multi-purpose job training and employment facility;

314. $90,000 to the Olney Theatre Center for the Arts in Olney, Maryland for the construction of a theater;

315. $101,250 to the Rotary—PAL Building Corporation of Frederick County, Maryland for facilities expansion for the Sagner Community Center;

316. $135,000 to Prince Georges County, Maryland for renovation of a visitor center to accommodate a Space and Flight Center;

317. $135,000 for Harford County, Maryland for the Edgewood Mobile Community Substation;

318. $157,500 to the City of Laurel, Maryland for facilities renovations for the Laurel Community Center;

319. $162,000 to the City of Rockville, Maryland for sidewalk, pedestrain amenities, lighting, and beautification improvements for the Rockville Town Center Redevelopment Project;

320. $180,000 to St. Mary's College in Maryland for waterfront facilities construction;

321. $180,000 for Baltimore Clayworks in Baltimore, Maryland to expand the facility;

322. $198,000 for the Sankofa Community Development Corporation in Baltimore, Maryland to renovate a building for a business center;

323. $225,000 to the Montgomery County Department of Housing and Community Affairs, Maryland for streetscaping and revitalization efforts in Wheaton;

324. $225,000 for Harford County, Maryland for a digital inclusion project in Edgewood;

325. $225,000 for the Suitland Family and Life Development Corporation in Suitland, Maryland for development of the Suitland Technology Center;

326. $225,000 for Montgomery County, Maryland for the construction of community centers in Long Branch;

327. $283,500 to Baltimore Medical System of Baltimore, Maryland for construction of a new community health center;

328. $360,000 for Bethel Outreach Center in Baltimore, Maryland for development of a cyber community center;

329. $450,000 to the West Arlington Improvement Association in Baltimore, Maryland for construction of a youth multi-purpose center;

330. $450,000 for the Greektown Community Development Corporation in Baltimore, Maryland for the Housing and Business Stabilization Project;

331. $450,000 for Montgomery County, Maryland for the revitalization of Fenton Street Village;

332. $450,000 for Prince Georges County, Maryland for acquisition and rehabilitation of properties along the Route 1 corridor;

333. $450,000 for Anne Arundel County, Maryland for the Wiley Bates High School Redevelopment project;

334. $540,000 for the City of Baltimore, Maryland for the Main Street Initiative;

335. $90,000 for L/A Arts in Lewiston, Maine for the renovation and construction of the ArtsPlace program building;

336. $112,500 to the University of Maine for reconstruction of the Jonesboro Blueberry Research Station;

337. $180,000 for the Franco-American Heritage Center at St. Mary's in Lewiston, Maine for the renovation of facilities into a performance hall and museum;

338. $180,000 to the City of Biddeford, Maine for restoration of the City Theater;

339. $180,000 for Eastern Maine Technical College for a technical resource center;

340. $180,000 for the Forum Francophone Des Affaires, Maine to facilitate exports to French-speaking markets;

341. $180,000 for the University of Maine at Farmington for an education center;

342. $225,000 for the City of Westbrook, Maine for a parking facility;

343. $225,000 for the City of Brewer, Maine for waterfront redevelopment;

344. $225,000 for the Preble Street Resource Center in Maine for a homeless teen center and health clinic;

345. $225,000 for the Piscataquis County Economic Development Council for a business incubator in Greenville, Maine to support and house businesses seeking to commercialize wood composite material;

346. $450,000 for University of Maine (Fort Kent and Presque Isle) Aroostook County Development Effort;

347. $81,000 to Cleary College in Howell, Michigan for construction of the Center for Business and Community Excellence;

348. $202,500 for the National Cherry Festival of Michigan for the renovation of facilities;

349. $202,500 to the Michigan State Trust for Railway Preservation, Inc. for construction of facilities for the Steam Railroading Institute's ''linear museum concept'' in Shiawasse County, Michigan;

350. $225,000 for the Structural Research and Development Center at Lawrence Tech University in Southfield, Michigan for facilities construction and renovations;

351. $225,000 to Lighthouse of Oakland County, Inc. for facilities construction in Oakland County, Michigan;

352. $225,000 to the City of St. Ignace, Michigan for the construction of a public library;

353. $225,000 to the Michigan Jewish Institute Academic Activities Facility for construction and renovation;

354. $225,000 to the National Center for Manufacturing Sciences in Ann Arbor, Michigan for facilities construction;

355. $270,000 to the Virginia Park Community Investment, Inc. in Detroit, Michigan for renovations of the Virginia Park Shopping Center;

356. $270,000 for Mott Community College in Flint, Michigan to develop a program and curriculum to improve workforce and manufacturing development;

357. $405,000 to the Saginaw Chippewa Tribe of Michigan for construction of facilities for the Victims of Crime Program;

358. $450,000 for Boysville of Michigan in Detroit for the Samaritan Outreach Center;

359. $450,000 for the Detroit Housing Group Inc., for the Alter Kercheval Housing Project;

360. $450,000 for the FOCUS: HOPE Institute in Detroit, Michigan to renovate a job-training facility;

361. $450,000 for the NorthStar Community Development Corporation in Detroit, Michigan to build affordable housing;

362. $900,000 for the City of Detroit, Michigan to redevelop the Detroit River Promenade;

363. $67,500 to the YWCA of St. Paul, Minnesota for facilities renovations associated with expansion;

364. $180,000 to Detroit Lakes, Minnesota for construction of a community center;

365. $180,000 to Leech Lake Tribal College in Cass Lake, Minnesota for facilities expansion;

366. $180,000 to the Audubon Center of the North Woods in Sandstone, Minnesota for capital construction costs and improvements;

367. $180,000 to the Vinland Center in Minnesota for facilities improvements for the rehabilitation center;

368. $250,000 to Jewish Family and Children's Services of Minneapolis, Minnesota for disability access and egress improvements;

369. $324,000 to the Cornerstone Advocacy Service, Inc. in Bloomington, Minnesota for construction of a multi-purpose Emergency Shelter and Family Services Center;

370. $360,000 for the Asian Pacific Community Center in St. Paul, Minnesota to create an urban village;

371. $425,000 to Southside Family Nurturing Center in Minneapolis, Minnesota for facility rehabilitation;

372. $450,000 for the Northeast Ventures Corporation in Duluth, Minnesota for a revolving loan fund;

373. $450,000 for the Red Lake Band of Chippewa Indians in Red Lake, Minnesota for the construction of a criminal justice complex;

374. $675,000 for the City of St. Paul, Minnesota for renovations to existing low-income housing;

375. $45,000 to the City of Arnold, Missouri for recreation facility improvements;

376. $45,000 to the City of Maplewood, Missouri for recreation facility improvements;

377. $45,000 to the Town of Herculaneum, Missouri for an economic development and land use plan;

378. $45,000 for the Children's Therapy and Early Education School in Mexico, Missouri for Mexico Special Needs Kids equipment;

379. $81,000 to the City of Stanberry, Missouri for revitalization of the city's bandstand;

380. $90,000 to the East-West Gateway Coordinating Council in St. Louis, Missouri for a feasibility study in cooperation with the University City Trolley Corporation;

381. $90,000 to the St. Louis, Missouri Parks Department for recreation facility improvements;

382. $90,000 to United Inner Services, Inc. in Kansas City, Missouri for construction of a community center;

383. $90,000 for Montgomery City, Missouri for streetscape improvements;

384. $225,000 for the City of Warrensberg, Missouri for downtown revitalization;

385. $250,000 to Ronald McDonald House Charities of the Ozarks, Missouri to develop a Mobile Dental Unit to provide educational and programmatic materials and resources for the Dental Care Unit to aid in outreach to public schools, Head Start Programs and foster children;

386. $250,000 to the Missouri Soybean Association to develop a Missouri soybean seed composition and analysis program;

387. $270,000 for the Petosi/Washington County Industrial Development Authority, Missouri for the Petosi Industrial Park;

388. $315,000 for the Missouri School Board Association for the C.L.A.S.S. Program;

389. $324,000 to the University of Missouri-Columbia for facilities construction for the Life Sciences Technology Incubator;

390. $405,000 for the Discovery Center for the development of an exhibit in Springfield, Missouri;

391. $450,000 for the Westside Housing Organization in Kansas City, Missouri for the Westside Agency Collaboration;

392. $450,000 for the Advanced Technology Center in Mexico, Missouri for expansion;

393. $775,000 to the St. Louis Science Center, Missouri to develop an interpretive center for the region's growing bio-technology industry;

394. $810,000 to the City of Springfield, Missouri for construction of a community multipurpose facility;

395. $810,000 to the City of St. Louis, Missouri for lighting, sidewalks, curbs, and street furniture along Kings Highway Boulevard and Chippewa Street;

396. $900,000 for the University of Missouri-Kansas City for academic investments related to the Cardiovascular Proteomics Center;

397. $900,000 for the Show-Me Aquatic Center in Missouri for development;

398. $1,500,000 for the Food and Agriculture Policy Research Institute in Columbia, Missouri to analyze commercial shipping alternatives;

399. $90,000 to the City of Natchez, Mississippi for a feasibility study to develop a slack water port;

400. $90,000 to the town of Wesson, Mississippi for the restoration of the Wesson School building;

401. $90,000 to the Sonny Montgomery Leadership Institute of Meridian, Mississippi for an economic development planning study;

402. $180,000 for Jackson, Mississippi for the development of the Farish Street Historic Center;

403. $243,000 to The Mississippi Economic Growth Alliance and Point of Presence (MEGAPOP) for facilities construction;

404. $270,000 for Pinola, Mississippi for the renovation of the historic Pinola School House;

405. $270,000 for Natchez, Mississippi for the development of the Natchez-Adams County industrial park;

406. $283,500 to the Oktibbeha County Economic Development Authority in Starkville, Mississippi for facilities construction for its E-Commerce Park;

407. $450,000 for Tchula, Mississippi for the development of a municipal complex;

408. $450,000 for the City of Kewanee, Mississippi for the development of the Kewanee industrial park;

409. $450,000 for Pearl, Mississippi for the renovation of a community center;

410. $855,000 for the Mississippi Tribe of Choctaw for the development of a Choctaw Veterans Memorial;

411. $900,000 for Alcorn State University, Mississippi for the construction and rehabilitation of buildings;

412. $900,000 for the City of Madison, Mississippi for downtown renovation;

413. $980,000 for the University of Southern Mississippi for the development of a National Center for Excellence in Economic Development;

414. $283,500 to the Missoula Food Bank, Montana for facilities expansion and renovation;

415. $360,000 for Billings Deaconess Clinic Research Facility in Billings, Montana;

416. $360,000 for the Yellowstone Boys and Girls Ranch in Billings, Montana for renovation;

417. $450,000 for TechRanch in Bozeman, Montana;

418. $450,000 for Billings, Montana for the expansion of the HRDC District 7 Building;

419. $900,000 for the RMC Aviation Training Center in Billings, Montana;

420. $180,000 for the Bozeman Rail Depot remediation project in Montana;

421. $50,000 for the County of Richmond, North Carolina for development and construction of the Richmond County Industrial Park;

422. $81,000 to the North Carolina Advanced Energy Corporation in Raleigh, North Carolina for a feasibility study of expanded application of the ''System Vision'' model of housing construction;

423. $90,000 to OPC Mental Health in Carrboro, North Carolina for construction, renovation and build out of Club Insight;

424. $90,000 to Orange County, North Carolina for construction and build out of a farmer's market facility;

425. $90,000 to the Jane Stevens Foundation Center in Sanford, North Carolina for facility renovations;

426. $90,000 to the City of Whiteville, North Carolina for the restoration of the Whiteville Train Depot;

427. $90,000 to Raeford, North Carolina for sidewalks, curbs, lighting, facade improvements, and street furniture in the downtown area;

428. $135,000 to Durham County, North Carolina for construction and build out of a senior center, and construction, renovation and build out of a homeless shelter;

429. $144,000 to the North Carolina Community Development Initiative for renovation and build out of a vocational training facility in Durham County, North Carolina and a

transitional housing facility in Durham, North Carolina;

430. $162,000 to the Catawba County, North Carolina Historical Association for restoration of facilities for the Harper House—Hickory History Center;

431. $180,000 to the Town of Mooresville, North Carolina for facilities expansion of the town's historic library;

432. $180,000 for the Tri-County Community College in Murphy, North Carolina to build a TeleCenter;

433. $180,000 for the North Carolina Rural Economic Development Center in Eastern to provide housing construction and repair in rural communities;

434. $180,000 for the Rogers Regional Performing Arts Center Consortium in Shelby, North Carolina for the Rogers Theatre;

435. $202,500 for construction of the National Academy of Forensics and Computer Investigations at Central Piedmont Community College in Charlotte, North Carolina;

436. $202,500 to the Graveyard of the Atlantic Museum in Dare County, North Carolina for continued facilities construction;

437. $243,000 to the Haywood County Agriculture and Activities Center Association for construction of a multi-purpose arena in Waynesville, North Carolina;

438. $315,000 to Scotland County, North Carolina for construction and renovation of a community center;

439. $360,000 to Fuquay-Varina, North Carolina for downtown revitalization consisting of sidewalks, islands, and a central plaza;

440. $360,000 to UDI Community Development Corporation in Durham, North Carolina for construction, renovation and build out for a business incubator facility;

441. $405,000 for Wake Forest University and Winston-Salem State University in North Carolina for construction of a facility for the Idealliance program;

442. $405,000 to the University of North Carolina at Greensboro, a Historically Women's College and University, for restoration of historic buildings;

443. $90,000 to Fort Totten, North Dakota for facilities construction;

444. $90,000 to Fort Yates Hospital, in Fort Yates, North Dakota for facilities renovations and construction;

445. $180,000 for the Morton County Park District, North Dakota for the Missouri River Trail project;

446. $317,500 for the National Foundation for Environmental Education in North Dakota for research and education on black mold;

447. $360,000 for Turtle Mountain Community College in Belcourt, North Dakota to complete construction of an economic development complex;

448. $360,000 for New Economy Initiative in North Dakota for technology training;

449. $450,000 for Spirit Lake Tribal Court in Fort Totten, North Dakota for renovations to the Spirit Lake Courthouse;

450. $900,000 for the City of Rugby, North Dakota to complete information technology and energy projects;

451. $900,000 for the North Dakota Tourism Department for the Three Affiliated Tribes Interpretative Center;

452. $270,000 for the City of Omaha, Nebraska for the creation of information technology training;

453. $283,500 to Father Flanagan's Girls and Boys Town of Boys Town, Nebraska for the national priority projects of Girls and Boys Town USA;

454. $360,000 for Audubon Nebraska for the Spring Creek Prairie Education Center;

455. $526,500 to the City of Falls City, Nebraska for renovating and retrofitting a business industry incubator building;

456. $180,000 for Nashua downtown public investment initiative, City of Nashua Community Development, Nashua, New Hampshire to revitalize the downtown community;

457. $225,000 for the City of Beloit, New Hampshire for neighborhood redevelopment;

458. $270,000 to the Greater Wakefield Resource Center in Wakefield, New Hampshire for renovation of facilities;

459. $270,000 for Strawberry Banke, Portsmouth, New Hampshire to assist in the design and planning of programming and create partnerships with neighborhood associations and organizations for disadvantaged youth;

460. $360,000 for the Mines Falls Park Restoration, Nashua, New Hampshire to restore historic gatehouse and assist in developing an educational resource center;

461. $360,000 for Capitol Center for the Arts, Concord, New Hampshire to enhance programming and make renovations to the facility;

462. $450,000 for the Portsmouth Riverwalk, Portsmouth, New Hampshire to assist in the creation of a safe pedestrian link between scenic and historical destinations and New Hampshire's only working deep water seaport;

463. $486,000 to the City of Concord, New Hampshire for facilities construction of the Sears Block Redevelopment project;

464. $540,000 for Marguerite's Place, Nashua, New Hampshire to provide transitional housing for women who are victims of domestic abuse and their children;

465. $630,000 to the New Hampshire Community Technical College for renovation and facilities expansion for the Emerging Technology Center at Pease International Tradeport;

466. $90,000 to Monmouth University in New Jersey for library facilities renovations;

467. $90,000 to the Bergen County, New Jersey Community Action Program for homeless shelter expansion needs;

468. $90,000 to the Borough of Fair Haven, New Jersey for restoration of the historic Fisk Chapel;

469. $90,000 to the Hackensack University Medical Center in Hackensack, New Jersey for facilities expansion of the Woman's and Children's Pavilion;

470. $90,000 to the University of Medicine and Dentistry of New Jersey in New Brunswick, New Jersey for construction of the Child Health Institute;

471. $112,500 to Babyland Family Services in Newark, New Jersey for facilities improvements;

472. $112,500 to Englewood Hospital and Medical Center in New Jersey for modernization and expansion of the Emergency and Outpatient Clinic;

473. $112,500 to Holy Name Hospital in Teaneck, New Jersey for facilities expansion of the regional dialysis center;

474. $112,500 to the YMCA of Eastern Union County, New Jersey for building renovations at the Elizabeth, New Jersey branch;

475. $162,000 to Atlantic City, New Jersey for renovation of the All Wars Memorial Building;

476. $162,000 to AtlantiCare Behavioral Health of Atlantic City, New Jersey for construction of a community mental health center;

477. $180,000 to New Jersey City University for renovation of the science hall;

478. $202,500 to the YMCA of Eastern Union County for expansion of child care facilities in Union, New Jersey;

479. $243,000 to Florence Township, New Jersey for construction of a senior citizens center;

480. $270,000 for the Borough of Paulsboro, New Jersey for brownfields redevelopment;

481. $360,000 for the Urban League State Council in New Brunswick, New Jersey for the New Futures Projects;

482. $360,000 for Willingboro Township, New Jersey for the Kennedy Senior Center construction project;

483. $405,000 to Burlington County, New Jersey for economic development planning for the revitalization of the Mount Holly Community ($67,500) and facilities construction ($337,500);

484. $450,000 to Daytop in Morris County, New Jersey for facilities construction and renovation;

485. $450,000 to Gilda's Club of Northern New Jersey for construction and renovation of a facility in the greater Morris/Essex County area;

486. $450,000 for the Bayshore Senior Center in Keansburg, New Jersey for renovations;

487. $450,000 for the Children's Cultural Center in Red Bank, New Jersey for the renovation of Shrewsbury Township Hall;

488. $540,000 for the New Jersey Community Development Corporation for facilities construction for the Transportation Opportunity Center;

489. $90,000 to the City of Aztec, New Mexico for facility and sidewalk improvements;

490. $90,000 for the Las Cruces Police Athletic League for the repair, remodeling and renovation of the facility housing the Sammy Burke Youth Boxing Center and a vehicle to serve the Center and the Police Athletic League Boxing Club in Las Cruces, New Mexico;

491. $202,500 for the City of Albuquerque, New Mexico Aviation Department for facilities expansion and renovation of the Double Eagle II Airport;

492. $270,000 for the Community Pantry in Gallup, New Mexico;

493. $270,000 for the Boys and Girls Club of Santa Fe, New Mexico for the construction of a facility;

494. $360,000 for the Pueblo of Cochiti, New Mexico for the construction of a community center;

495. $405,000 to the City of Roswell, New Mexico for renovation and structural upgrades of an aircraft hanger;

496. $450,000 for the New Mexico Food Bank Association, Albuquerque, New Mexico, for the Gleaning Project;

497. $630,000 for the Pojoaque Pueblo of New Mexico to complete the Poeh Cultural Center and Museum;

498. $810,000 for the construction, renovation, and restoration of the historic Rio Grande Theater in Las Cruces, New Mexico, as planned by the Dona Ana Arts Council, Inc;

499. $900,000 for the Mesilla Valley Community of Hope, Las Cruces, New Mexico for the Casa de Peregrinos Building;

500. $135,000 to the Culinary and Hospitality Academy Center of Las Vegas, Nevada for construction related to expansion of an education training center;

501. $180,000 to the City of Las Vegas, Nevada for facilities construction for a small business incubator;

502. $243,000 to the City of Sparks, Nevada for renovation of facilties for the Regional Science and Cultural Center;

503. $450,000 for the City of North Las Vegas, Nevada for neighborhood redevelopment;

504. $900,000 for Clark County, Nevada for the construction of a community center;

505. $900,000 for the City of Reno, Nevada for the rehabilitation of a building for a senior center;

506. $45,000 to the Institute for the Puerto Rican/Hispanic Elderly in New York for facilities renovations;

507. $67,500 to Merwin Rural Services Institute for an initial planning study in northern New York;

508. $67,500 to the City of Ogdensburg, New York for facilities construction for the continued development of the Fort La Presentation project;

509. $67,500 to the Village of Clayton, New York for waterfront facilities renovations along the St. Lawrence River;

510. $67,500 to the City of Syracuse, New York for renovations of the Syracuse Open House;

511. $67,500 to the Town of Babylon, New York for construction of a construction trades incubator;

512. $67,500 to the City of New Rochelle, New York for sidewalk and curb improvements;

513. $67,500 to the Hebrew Academy for Special Children in Brooklyn, New York for construction and renovation of a facility;

514. $67,500 to the Town of Mamaroneck, New York for facilities renovation and improvements for the Hommocks Conservation Area;

515. $81,000 to the Town of Amherst, New York for the repair of historic streetscape furniture;

516. $90,000 to the Village of Carthage, New York for facilities construction and building renovations;

517. $90,000 to Onondaga County, New York for construction of the Borodino Community Center;

518. $90,000 to the City of Syracuse, New York for planning related to the Hancock International Airport;

519. $90,000 to the Metropolitan Development Association in Syracuse, New York to update the VISION 2010 Strategic Economic Development Plan;

520. $90,000 to the State University of New York, College of Environmental Sciences and Forestry for planning activities for the Quality Communites Initiative;

521. $90,000 to New York University Medical Center for renovations to the Rusk Institute of Rehabilitation;

522. $90,000 to Phipps House in New York, New York for facilities renovation and construction in LaPuerta in the South Bronx to house an educational child care center;

523. $90,000 to the Alliance for Community Services for a study of economic development needs of newly identified immigrant communities in the Bronx, New York;

524. $90,000 to the Citizens Advice Bureau for renovations to the Girls' Club Community Center in the Bronx, New York;

525. $90,000 to the City of Mount Vernon, New York for building renovations to create a recreational and job training facility;

526. $90,000 to the City of White Plains, New York for an economic development study for the revitalization of Westchester;

527. $90,000 to the Flushing, Queens, New York branch of the YMCA for facilities renovation and expansion;

528. $90,000 to the Long Island Housing Partnership, Inc. In New York for a study to identify and plan revitalization efforts in distressed communities;

529. $90,000 to the McBurney YMCA in New York, New York for facility construction;

530. $90,000 to the Town of Eastchester, New York for facilities renovation for the Eastchester Child Development Center;

531. $90,000 to the City of Claremont, New Hampshire to assist the city in improving and redeveloping the downtown area;

532. $90,000 to the Town of Winchester, New Hampshire to assist the community in redeveloping its downtown area;

533. $112,500 to the City of Yonkers, New York for facilities construction for the Yonkers Pier;

534. $112,500 for facilities construction of the Natural History Museum of the Adirondacks in Tupper Lake, New York;

535. $135,000 to the Harlem YMCA in New York, New York for renovation of transitional housing;

536. $135,000 to the Jewish Children's Museum in Brooklyn, New York for facilities construction;

537. $135,000 to Boys and Girls Club of Saugerties, New York for renovation of a multi-purpose facility to house the club;

538. $162,000 for facilities renovations and improvements for the Woolworth Theatre Project in Glens Falls, New York;

539. $162,000 to the Catskill Mountain Foundation in Hunter, New York for reconstruction of the Tannersville Theatre for use as a multifunctional facility;

540. $162,000 to the Village of Valatie, New York for the renovation of the Valatie Theatre;

541. $180,000 to the Bethel Performing Art Center in Bethel, New York for construction of a performing arts facility;

542. $180,000 to Elmcor Youth and Adult Activities, Inc. for construction of an economic development center serving the needs of Northwestern Queens, New York;

543. $180,000 to HOGAR, Inc. in the Bronx, New York for planning activities for housing needs ($90,000) and planning activities for provision of rehabilitative services to special needs populations ($90,000);

544. $180,000 to the Sunset Park Business Improvement District in Brooklyn, New York for fade renovations, sidewalk, curb and street furniture improvements;

545. $180,000 to the Mary Mitchell Family and Youth Center in the South Bronx, New York for facilities planning ($90,000) and renovations ($90,000);

546. $180,000 for The State University of New York at Potsdam for the Northern New York Data Center;

547. $180,000 for the Mohawk Valley Heritage Corridor Commission in Canajoharie, New York for the Heritage in Upstate New York project;

548. $200,000 to Carnegie Hall in New York to complete construction of Carnegie Hall's Third Stage Project;

549. $200,250 to the Museum of Modern Art in New York for expansion and renovations to their Education and Research Center;

550. $202,500 for construction of the Players Theater Performing Arts Center in Utica, New York;

551. $202,500 to the Suffolk Sports Hall of Fame, Sports Research Center in Patchogue, New York for facilities renovations;

552. $202,500 to the Town of Brookhaven, New York for facility improvements to the Mastic Town Pool;

553. $202,500 to Elmira College in Elmira, New York for renovation of Cowles Hall;

554. $202,500 to the Village of Highland Falls, New York for main street revitalization;

555. $202,500 to Catholic Health Systems for construction activities of the Our Lady of Victory Neighborhood for Seniors Project in Lackawanna, New York;

556. $202,500 to the Burchfield-Penney Art Center in Buffalo, New York for construction of a new museum;

557. $225,000 to Onondaga County, New York for facilities construction of the Solvay Library Centennial Building;

558. $225,000 to the City of Syracuse, New York for facilities expansion for the Northeast Community Center;

559. $225,000 to the City of Syracuse, New York for historic renovations of the Matilda Joslyn Gage House;

560. $225,000 to the Village of East Syracuse, New York for renovation of the Hanlon Pool;

561. $225,000 to the Village of Manlius, New York for rehabilitation of the Manlius Recreation Center;

562. $225,000 to Covenant House New York in New York, New York for shelter renovations;

563. $225,000 to the City of Albany, New York for renovation of the Palace Theater;

564. $225,000 to the Dance Theater of Harlem in New York, New York for restoration of buildings to support the Academy Charter School;

565. $225,000 to VIP Community Services in the Bronx, New York for construction of homeless transitional housing;

566. $270,000 to Garth Fagan Dance Studio in Rochester, New York for construction of a new theater;

567. $270,000 to the Armory Foundation in New York, New York for conversion of the Washington Heights Armory into a community center;

568. $270,000 to the City of Buffalo, New York for facility renovations at Canisius High School in Buffalo, New York;

569. $270,000 for Chautauqua County, New York for high-speed, broadband fiber installation;

570. $315,000 for the Center for Economic Growth in Albany, New York for the Regional Technology Roadmap project;

571. $360,000 to Cayuga County, New York for waterfront facilities construction;

572. $360,000 for Northern Forest Heritage Park, Berlin, New Hampshire to help create heritage based tourism and regional economic development;

573. $400,000 to Jazz at Lincoln Center in New York City for facility construction;

574. $400,000 to the Rivers and Estuaries Center on the Hudson in New York for facilities construction;

575. $405,000 for construction of the Orpheus Performing Arts and Conference Center in Oneonta, New York;

576. $405,000 to the Staten Island Soccer League of New York for facilities construction;

577. $405,000 to Orange County Community College in Middletown, New York for facilities construction and buildout for the establishment of the Benjamin A. Gilman Institute for Political and International Studies;

578. $405,000 to St. Bonaventure University in St. Bonaventure, New York for facilities upgrades for De la Roche Hall;

579. $405,000 to the New York State Office of Parks, Recreation and Historic Preservation for construction of the Purple Heart Hall of Honor in the Town of New Windsor, New York;

580. $405,000 to Christa House of West Babylon, New York for facilities renovations and repairs;

581. $405,000 to the City of Syracuse, New York for sidewalks, street lighting and furniture improvements and building renovations for the North Salina Street Corridor;

582. $405,000 to the City of Syracuse, New York for construction of an International Tourism Center at the Carousel Center;

583. $450,000 to the City of Syracuse, New York for expansion and renovation of Enable facilities;

584. $495,000 to Queens Borough Public Library in Queens, New York for facilities rehabilitation and expansion of the Parsons Boulevard complex;

585. $720,000 for the Schenectady Municipal Housing Authority, New York for community development and revitalization;

586. $800,000 to the New York Olympic Regional Development Authority for facilities construction for the Mount VanHoevenberg Olympic Sports Complex;

587. $890,000 for facilities expansion for the Everson Museum of Art in Syracuse, New York;

588. $890,000 to LeMoyne College in Syracuse, New York for the construction of a Science Education and Teaching/Learning Center;

589. $1,700,000 to DestiNY USA in Syracuse, New York for environmental construction and development of lands adjoining Onondaga Lake and the New York State Canal System;

590. $81,000 to the Rabbit Run Community Arts Association for renovation of the Rabbit Run Theater located in Madison, Ohio;

591. $90,000 for facilities renovations and improvements for the West After School Center in Lancaster, Ohio;

592. $90,000 to the City of Cleveland, Ohio for economic development planning for the LTV Steel Economic Development Initiative;

593. $90,000 to the City of Toledo, Ohio for site re-use planning at the former Doehler Jarvis manufacturing facility and the site of the former Toledo Federal Building;

594. $121,500 to GMN Tri County for construction of a community center in Guernsey County, Ohio;

595. $121,500 to the Village of Fairport Harbor, Ohio for renovation of facilities for the Lighthouse Community Arts Association's Fairport Harbor Rennaissance Village;

596. $180,000 for Catholic Social Services in Springfield, Ohio for renovation of a facility to house the Second Harvest Foodbank;

597. $180,000 for Ross County, Ohio for facilities renovations and improvements for the Blue Star Mothers Memorial Stadium in Chillicothe, Ohio;

598. $202,500 for the Community Action Organization of Scioto County, Ohio for renovation of a facility for the Head Start program in Portsmouth, Ohio;

599. $202,500 to the City of Clairsville, Ohio for renovation and restoration of the Clarendon Hotel building;

600. $202,500 to the City of Marion, Ohio for construction of an urban plaza;

601. $225,000 to the Columbiana County Port Authority in Wellsville, Ohio for construction of a cargo handling system;

602. $225,000 for the City of Grove City, Ohio for the development of the All Children Adventure Playground at Fryer Park;

603. $243,000 to the National First Ladies Library Non-Profit Group for facilities construction for the Women's History Museum in Canton, Ohio;

604. $270,000 to Where Toledo Grows/Greenhouse Row in Toledo, Ohio for construction of a welcome center;

605. $270,000 for the Cleveland Foodbank in Ohio for the development of a new food distribution center;

606. $405,000 to the Johnny Appleseed Heritage Center, Inc. in Ashland County, Ohio for construction of facilities;

607. $405,000 to the University of Cincinnati for renovation of the Medical Sciences Building in Cincinnati, Ohio;

608. $450,000 for Fayette County Community Action Council, in Fayette County, Ohio to construct a new community center and Head Start facility;

609. $450,000 for the City of Dayton, Ohio for the development of structures in the Main Street Historic Mission;

610. $450,000 for the Lawrence Economic Development Corporation for the development of the Point Commercial/Industrial Park in Ohio;

611. $450,000 for the Toledo-Lucas County Port Authority for the Northwest Ohio Brownfield Restoration Initiative;

612. $567,000 for facilties construction for an agro-security research center at the Ohio Agricultural Research and Development Center in Wooster, Ohio;

613. $630,000 for Franklin County MetroParks, Franklin County, Ohio for the purchase of land in the Darby Creek Watershed;

614. $900,000 to the Toledo-Lucas Port Authority in Toledo, Ohio for facilities construction and renovation at the Toledo Shipyard;

615. $243,000 for the Lawton, Oklahoma Public Schools for the restoration of the historic Lawton High School;

616. $243,000 to the New Cordell Utility Authority of New Cordell, Oklahoma for renovation of commercial buildings;

617. $283,500 to Rural Enterprises, Inc. in Durant, Oklahoma for facilities renovation;

618. $729,000 to the Oklahoma City Maintenance Repair and Overhaul Technology Center for facilities construction;

619. $1,500,000 for the City of Oklahoma City for the development of the Oklahoma Maintenance, Repair and Overhaul Tech Center;

620. $45,000 for program and technology initiatives of the Oregon Historical Society;

621. $67,500 to the Oregon Food Bank in Portland, Oregon for facilities expansion;

622. $67,500 for Oakridge, Oregon for the development of the Oakridge Community Center;

623. $67,500 for Deschutes County, Oregon for the renovation of the Tower Theatre;

624. $90,000 for Hood River, Oregon for an Integrated Technology Center;

625. $90,000 for the Santo Community Center in Medford, Oregon;

626. $162,000 for the renovation of the Tower Theatre in Bend, Oregon;

627. $180,000 to the Douglas County, Oregon for construction of a community recreation pavilion at the Marina RV Resort;

628. $180,000 for Wasco County, Oregon for the development of a fiber optic system;

629. $180,000 for the City of Newberg, Oregon for the development of a Community and Family Resource Center;

630. $270,000 for Crook County, Oregon to construct a human services building;

631. $270,000 for the City of Dalles, Oregon for the construction of the Dalles riverfront access project in Oregon;

632. $540,000 for the City of Portland, Oregon for the Central City Streetcar Extension project;

633. $45,000 to the Claysburg Area Community Park for construction and buildout of an amphitheater in Claysburg, Pennsylvania;

634. $45,000 to the Susquehanna Neighborhood Advisory Council in Philadelphia, Pennsylvania for a feasibility study focused on Susquehanna Avenue development;

635. $67,500 to the LaRosa Boys & Girls Club of McKeesport, Pennsylvania for recreation facility construction;

636. $67,500 to the Phoenix Project in Philadelphia, Pennsylvania for facility renovations;

637. $67,500 to the Sarah Jackson Black Community Center in Pittsburgh, Pennsylvania for facilities renovations;

638. $67,500 to the Soldiers' & Sailors' Memorial Hall and Museum Trust in Pittsburgh, Pennsylvania for facilities renovations and improvements;

639. $67,500 to the Swissvale Borough Code Enforcement Project in Pennsylvania for facility renovations and upgrades;

640. $67,500 to the Vine Memorial and Community Development Corporation in Philadelphia, Pennsylvania for construction of a community development center;

641. $67,500 to the YMCA of Pittsburgh, Pennsylvania for facilities renovation at the East Community Branch;

642. $67,500 to the Redevelopment Authority of Cumberland County for the conversion of the Molly Pitcher Hotel in Carlisle, Pennsylvania into apartments for senior citizens who require services to live independently;

643. $67,500 to the Philadelphia Commerce Department for the redevelopment of the former Schmidt's Brewery site in the Northern Liberties section of Philadelphia, Pennsylvania;

644. $81,000 for the Planning Commission for Bucks County, Pennsylvania for the Penndel Economic Revitalization study;

645. $81,000 to Milford Township, Pennsylvania for development of a managed growth plan;

646. $81,000 to the Bucks County Planning Commission for economic development planning for the Lower Bucks Riverfront Corridor Initiative in Bucks County, Pennsylvania;

647. $81,000 to the Lawrence County Farm Show, Inc. for facilities construction in Lawrence County, Pennsylvania;

648. $90,000 to Connection Training Services of Philadelphia, Pennsylvania for renovation and construction of their workforce training center;

649. $90,000 to the Renaissance Community Development Corporation in Philadelphia, Pennsylvania for construction of a shopping center in an underserved community;

650. $90,000 to the Youth Leadership Foundation of Philadelphia, Pennsylvania for a facilities needs study;

651. $90,000 for the Titusville Redevelopment Authority of Titusville, Pennsylvania for facility improvements;

652. $90,000 to the Oil Creek Railway Historical Society, Inc. of Pennsylvania for facilities renovations;

653. $90,000 to the City of Philadelphia, Pennsylvania for the rehabilitation of the Royal Theater;

654. $90,000 to the Philadelphia Chinatown Development Corporation for the construction of a Chinatown Community Center in Philadelphia, Pennsylvania;

655. $90,000 for Lower Makesfield Township, Pennsylvania to build a memorial to Bucks County victims of 9/11;

656. $103,500 for facilities construction and expansion of the Johnsonburg Senior Center of Johnsonburg, Pennsylvania;

657. $112,500 for Strength Incorporated's Project Blanket in Pittsburgh, Pennsylvania for a drug and alcohol prevention program for juveniles in jail;

658. $112,500 to the National Trust for Historic Gettysburg for the restoration of the historic Majestic Theater in Gettysburg, Pennsylvania;

659. $112,500 to the Westmoreland County Industrial Development Corporation for initiation of the second phase of the Westmoreland Technology Park in Westmoreland County, Pennsylvania;

660. $112,500 to the Invest Erie Community Development Corporation for the acquisition and development of property in Erie, Pennsylvania to establish a Parade Street Plaza;

661. $112,500 for the Community Empowerment Association's ''Friend-2-Friend'' Mentoring Program in Pittsburgh, Pennsylvania which will provide mentoring for at-risk youth aged 12 to 15;

662. $121,500 for facilities reconstruction and renovation of the Strand Theatre in Zelienople, Pennsylvania to serve as a Performing Arts, Education and Community Outreach Center;

663. $121,500 to the Bedford County Agricultural Society in Pennsylvania for facilities improvements at the Bedford County Fairground;

664. $135,000 to CitiVest in Wilkes-Barre, Pennsylvania for facilities construction for commercial development;

665. $135,000 to Montgomery County, Pennsylvania for construction of a visitors center;

666. $135,000 to the Borough of Orwigsburg, Pennsylvania for sidewalks curbs and street lighting;

667. $135,000 to the City of Pottsville, Pennsylvania for sidewalks, curbs and street lighting;

668. $135,000 for Universal Community Homes in Philadelphia, Pennsylvania, to continue the conversion of more than 500 parcels of land into for-sale units for low- and moderate-income families;

669. $135,000 to the Ogontz Avenue Revitalization Corporation in Philadelphia, Pennsylvania to assist with substantial rehabilitation of severely deteriorated vacant properties that will be developed as a part of the

West Oak Lane community development rebuilding initiative;

670. $135,000 to the Philadelphia Martin Luther King Center for Nonviolence in Philadelphia, Pennsylvania for the College for Teens Program;

671. $157,500 to the Redevelopment Authority of Allegheny County, Pennsylvania for the redevelopment of the Eastgate Commerce Center, which will assist in the cost assessment, remediation and demolition of existing blighted buildings and tenant relocation costs;

672. $162,000 to the Volunteers of America of Pennsylvania, Inc. for facilities renovation in Harrisburg, Pennsylvania;

673. $180,000 to the Urban Education Development Research and Retreat Center in Philadelphia, Pennsylvania for renovations at the 4601 Market Street facility;

674. $180,000 to the City of Philadelphia, Pennsylvania to support the Neighborhood Transformation Initiative, to demolish abandoned homes as well as revitalize the Philadelphia region;

675. $180,000 to the City of Scranton, Pennsylvania for the revitalization of existing vacant and dilapidated buildings in the downtown area;

676. $202,500 to the City of Lebanon, Pennsylvania for building renovations as part of ''Operation Fight Blight'';

677. $202,500 to the Historic Preservation Trust of Lancaster County, Pennsylvania for rehabilitation of facilities at the Thaddeus Stevens and Lydia Hamilton Smith historic site;

678. $202,500 to the Windber Research Institute in Johnstown, Pennsylvania for facilities expansion;

679. $202,500 to the York Agricultural Society for facilities improvements to the York Expo Center Arena/Livestock Exhibition Hall;

680. $225,000 to Fort Ligonier in Westmoreland County, Pennsylvania for facilities renovation;

681. $225,000 to the Freedom Theater in Philadelphia, Pennsylvania for theater renovation;

682. $225,000 to the Kiski Valley YMCA in Westmoreland County, Pennsylvania for facilities expansion;

683. $225,000 to the Uptown Entertainment and Development Corporation in Philadelphia, Pennsylvania for renovation of an education technology center;

684. $225,000 to the Vandergrift Borough Council in Pennsylvania for recreation facilities upgrades and repairs;

685. $225,000 for Lehigh County, Pennsylvania to construct a Regional Public Training Facility, which will provide services, programs and cross training to professional and volunteer service providers;

686. $243,000 to the Community Action Agency of Delaware County, Inc. in Pennsylvania for renovation of emergency shelter facilities and for construction of transitional housing;

687. $243,000 to University Technology Park in Chester, Pennsylvania for facilities construction;

688. $270,000 for the Please Touch Museum in Philadelphia, Pennsylvania for facilities construction;

689. $270,000 to the City of Arnold, Pennsylvania for building renovation and rehabilitation in the downtown business district;

690. $270,000 to the City of New Kensington, Pennsylvania for building renovation and rehabilitation in the downtown business district;

691. $270,000 for the Community Initiatives Development Corporation, Our City Reading, for the rehabilitation of abandoned houses and parks in Reading, Pennsylvania, to provide quality home ownership opportunities to low-income families;

692. $283,500 to Pike County, Pennsylvania for construction of a performing arts center;

693. $315,000 for the Erie Municipal Airport Authority for the redevelopment of the recently acquired, former Fenestra window manufacturing facility in Erie, Pennsylvania, to serve the needs of major air express carriers as an on-airport integrated service center;

694. $405,000 to the City of Erie, Pennsylvania for facilities construction for the Erie Technology Incubator project;

695. $450,000 to the Winnie Palmer Nature Reserve in Westmoreland County, Pennsylvania for facilities construction;

696. $900,000 to the County of Cambria, Pennsylvania for continued construction of the Northern Cambria Recreation Facility in the Township of Cambria;

697. $1,170,000 to the American Cities Foundation in Philadelphia, Pennsylvania for construction needs of a multi-purpose facility;

698. $90,000 to Providence Children's Museum, Rhode Island for facilities construction;

699. $90,000 to the Boys and Girls Club of Warwick, Rhode Island for construction and renovation of the Norwood and Oakland Beach Clubhouses;

700. $90,000 for the West Warwick Police Department in Rhode Island to create a community center and park;

701. $90,000 for the Warwick Shelter Incorporated in Rhode Island to purchase a new facility;

702. $90,000 for the Providence Black Repertory Theatre in Rhode Island for renovations to an abandoned building;

703. $90,000 for Festival Ballet Providence, Rhode Island for educational programs and a new facility;

704. $112,500 to the YMCA of Central Falls, Rhode Island for modernization and upgrade of a facility;

705. $135,000 to Goodwill Industries of Rhode Island for construction of a central facility located in Providence, Rhode Island;

706. $157,500 for the Dorcas Place Adult and Family Learning Center in Providence, Rhode Island for facility expansion;

707. $157,500 for the International Institute of Rhode Island for the International Charter School to expand its facility;

708. $180,000 for the Meeting Street School in Providence, Rhode Island for the construction of a National Center of Excellence;

709. $180,000 for St. Elizabeth's Home in Providence, Rhode Island for low-income assisted living;

710. $180,000 for the Tides Family Services in Providence and Pawtucket, Rhode Island to acquire and renovate two buildings;

711. $225,000 for the Providence Public Library, Rhode Island for the South Providence Branch renovation;

712. $225,000 for the Town of Glocester, Rhode Island for the Glocester Senior Center;

713. $315,000 for Providence College, Rhode Island for the construction of a cultural arts center;

714. $360,000 for the Rhode Island Community Food Bank in Providence for a new warehouse facility;

715. $180,000 to the Boys and Girls Club of Williamsburg County, South Carolina for construction related to facilities expansion;

716. $202,500 to the Housing Foundation, Inc. of Charleston County, South Carolina for construction of the Lincolnville Community Center;

717. $270,000 to the City of Rock Hill, South Carolina for a feasibility study and physical assessments for the redevelopment of the Rock Hill Printing and Finishing Company textile mill site;

718. $283,500 to the South Carolina School for the Deaf and Blind in Spartanburg, South Carolina for facilities construction;

719. $360,000 for Five Rivers Community Development Corporation in Georgetown, South Carolina for economic development and affordable housing;

720. $630,000 for the City of Charleston, South Carolina for pre- and post homeownership classes;

721. $810,000 for the South Carolina Association of Community Development Corporations in Charleston for job training;

722. $990,000 for the City of Columbia, South Carolina for facilities construction and the redevelopment of the Drew Park Wellness Center;

723. $135,000 for the City of Freeman, South Dakota for the construction of a community library;

724. $135,000 for the City of Canton, South Dakota for renovations for the conversion of the train depot for economic development;

725. $270,000 for the City of Sturgis, South Dakota for the construction of a community library;

726. $360,000 for the City of Brookings, South Dakota for downtown redevelopment;

727. $360,000 for the Southeast Council of Governments, South Dakota to establish a revolving loan fund;

728. $360,000 for the City of Vermillion, South Dakota for a business incubator;

729. $450,000 for the Center for Rural Collaboration and Partnerships in South Dakota for facility construction;

730. $450,000 for Capitol University Center, Pierre, South Dakota to construct a facility for job training;

731. $450,000 for the City of Rapid City, South Dakota to build a business incubator;

732. $450,000 for the City of Clark, South Dakota for development of an industrial property;

733. $2,700,000 for Wakpa Sica Historical Society in Fort Pierre, South Dakota for the Wakpa Sica Reconciliation Center;

734. $67,500 to the City of Etowah, Tennessee/Friends of the Old Scout Lodge for facilities rehabilitation of a historic structure;

735. $81,000 for the City of Chattanooga, Tennessee for economic development planning;

736. $81,000 for the City of Oak Ridge, Tennessee for economic development planning;

737. $81,000 to Pickett County, Tennessee for construction of a public library;

738. $81,000 to White County, Tennessee for construction of a new public library;

739. $90,000 to Dyersburg Army Air Base Memorial Association in Halls, Tennessee for facilities expansion of the association's veterans museum;

740. $121,500 to the National Medal of Honor Museum of Military History Foundation, Inc. for facilities renovation and construction in Chattanooga, Tennessee;

741. $180,000 to Fisk University in Nashville, Tennessee for facilities construction;

742. $180,000 to the Second Harvest Food Bank in Middle Tennessee for facilities construction;

743. $202,500 to the Town of Spring City, Tennessee for construction of a multi-purpose business and community center;

744. $255,150 to Knox County, Tennessee for renovations and construction of parking facilities;

745. $405,000 to the Historical Tennessee Theatre Foundation, Inc. for continued renovations of the Tennessee Theatre in Knoxville, Tennessee;

746. $500,000 for the City of Memphis, Tennessee Biotech Facility;

747. $850,000 for Nashville, Tennessee for the revitalization of Rolling Mill Road;

748. $950,000 for the City of Chattanooga, Tennessee for the revitalization of Alton Park;

749. $90,000 to Community Family Centers in Houston, Texas for construction of an early childhood development center;

750. $90,000 to the City of San Angelo Development Corporation in Texas for planning a regional industrial park;

751. $90,000 to the City of Austin, Texas Neighborhood Housing and Community Development Office for sidewalks, curbs, street lighting and facade renovations;

752. $135,000 to the Abilene Preservation League in Abilene, Texas for the restoration of historic Swenson House;

753. $135,000 to the Sulpher Springs Regional Development Association in Hopkins County, Texas for construction of a regional education and cultural center;

754. $135,000 to Texas A&M University Center for Housing and Urban Development for construction of a community center serving colonias;

755. $157,500 to the City of Abilene, Texas for the renovation of the Matera Paper Building, including land acquisition;

756. $202,500 for Texas A&M International University in Laredo, Texas for construction of outreach centers in the El Azteca neighborhood and the colonias of El Cenzio and Rio Bravo;

757. $202,500 to Community Health Development, Inc. of Uvalde, Texas for facilities expansion and construction for a dental services and wellness center;

758. $202,500 to the Battleship Texas Foundation for construction of an interpretive center;

759. $225,000 to Cameron County, Texas for construction of a Boys and Girls Club facility in Santa Rosa;

760. $225,000 to the City of Fort Worth, Texas for building restoration in the city center;

761. $360,000 to the City of Waco, Texas for construction of a community center;

762. $405,000 to the Family Practice Residency of the Brazos Valley in Bryan, Texas for construction of a new center of excellence;

763. $405,000 to the Mercy Health System for facilities renovations and improvements at Mercy Hospital in Laredo, Texas;

764. $405,000 to the University of Texas at Arlington for the continued facilities construction and buildout for the Nano-Tech Research Institute;

765. $450,000 for Lubbock, Texas for capital needs of the Lubbock Amphitheater;

766. $607,500 to the Old Red Courthouse Museum in Dallas, Texas for the restoration of facilities for the Museum of Dallas History;

767. $742,500 for Fort Worth, Texas for the revitalization of the Fort Worth Polytechnic Heights Historic Commercial and Educational Center;

768. $810,000 to the City of Fort Worth, Texas for waterfront facilities construction for the Trinity River Visions project;

769. $810,000 to the Globe of the Great Southwest in Odessa, Texas for facilities expansion and improvements;

770. $900,000 for El Paso, Texas for the renovation of the El Paso Plaza Theatre;

771. $180,000 to the Community Legal Center in Salt Lake City, Utah for facility renovation;

772. $202,500 to West Valley City, Utah for construction of a City's Multi-Ethnic Community Center;

773. $270,000 for the City of Orem, Utah for improvement of Nielsen's Grove Historical Park;

774. $810,000 for the City of Riverton, Utah for reconstruction of a Historic City Civic Center;

775. $1,170,000 for Sevier County, Utah for development of a Multi-Events Center;

776. $22,500 to the Langhorne House in Danville, Virginia for facilities renovations;

777. $22,500 to the Prestwould House near Clarksville, Virginia to assist with renovations to the historic site;

778. $45,000 for the Town of Boydton, Virginia for facilities improvements in connection with the downtown revitalization project;

779. $67,500 for Loudon Interfaith Relief, Inc. of Virginia for planning activities for development of a community kitchen;

780. $90,000 for Henry County, Virginia for facility renovations at the Henry County technology campus;

781. $90,000 for the City of Martinsville, Virginia for the planning for the utilization of an industrial site;

782. $90,000 for the Town of Altavista, Virginia to assist with renovations of the shell building industrial site;

783. $90,000 for the Town of Clarksville, Virginia to assist with the study on the development of the downtown area;

784. $90,000 to Arlington County, Virginia for renovation and buildout for the Bonder and Amanda Johnson Community Development Corporation facility;

785. $90,000 to the Martinsville-Henry County Historical Society in Virginia for improvements to the Old Henry County Court House and Museum;

786. $90,000 to the City of Manassas, Virginia for restoration of the Liberia House;

787. $90,000 to the Virginia Science Center for construction of the Belmont Bay Science Center in Prince William County, Virginia;

788. $90,000 to the Vienna Little League in Vienna, Virginia for facilities construction;

789. $135,000 to the Lorton Arts Foundation in Lorton, Virginia for the renovation of buildings for a creative arts center;

790. $157,500 to the Arlington Partnership for Affordable Housing (APAH) in Arlington, Virginia for facilities construction for a computer technology information center;

791. $157,500 to New Hope Housing in Alexandria, Virginia for renovation of the Mondloch House and construction at the Kennedy Shelter;

792. $162,000 to Eastern Shore Community College for construction of the Eastern Shore Workforce Training and Business Development Center in Melfa, Virginia;

793. $180,000 for the Town of South Hill, Virginia for the restoration of the Colonial Theatre;

794. $180,000 to the Arlington Housing Corporation in Arlington, Virginia for construction of a community center in the Woodbury Park development;

795. $180,000 to the Institute of Advanced Learning and Research (IALR) in Danville, Virginia for installation and improvements to high technology systems;

796. $180,000 to the Rich Valley Fair Association in Virginia for construction of a new facility to jointly serve as a community center and indoor space for the community fair;

797. $180,000 to the Shenandoah Valley Discovery Museum, Inc. for facilities expansion and buildout;

798. $180,000 to the Town of Edinburg, Virginia for the renovation and adaptive reuse of the Historic Edinburg Mill;

799. $180,000 to Vanguard Services Unlimited of Arlington, Virginia for renovation and improvement of facilities;

800. $202,500 to the City of Suffolk, Virginia for the renovation and restoration of the old Suffolk High School for use as a cultural center;

801. $202,500 to the Lynchburg Academy of Music in Lynchburg, Virginia for facilities construction and renovation;

802. $202,500 to the Tredegar National Civil War Center Foundation of Richmond, Virginia for facilities construction;

803. $216,000 to the Virginia Living Museum in Newport News, Virginia for construction and renovation of facilities;

804. $225,000 to Edgehill Recovery Retreat Center in Winchester, Virginia for facilities construction;

805. $225,000 for Mary Baldwin College in Staunton, Virginia for ongoing construction of the Center for the Exceptionally Gifted;

806. $450,000 to the St. Coletta School in Alexandria, Virginia for facilities construction;

807. $675,000 to the Christopher Newport University Foundation of Newport News, Virginia for facilities construction and renovation;

808. $1,350,000 for Newport News, Virginia for the development of the Newport News Fine Arts Center;

809. $90,000 to the Department of Vermont Veterans of Foreign Wars for the construction of the Green Block Veterans Memorial in Brandon, Vermont and the Windsor, Vermont War Memorial;

810. $90,000 to the Northeastern Vermont Development Corporation for construction of a community center in Orleans County;

811. $90,000 for the Carving Studio in West Rutland, Vermont for building renovations;

812. $90,000 to the Northeastern Vermont Development Association to support the Northeast Kingdom Enterprise Collaborative and the Northeast Kingdom REAP zone in promoting economic development throughout the region;

813. $180,000 for the Park-McCullough House in North Bennington, Vermont for preservation of property;

814. $225,000 to the Vermont Broadband Council to promote broadband accessibility throughout Vermont;

815. $270,000 to the Vermont Housing and Conservation Board for rehabilitation and construction of affordable housing in the historic Tuttle Building in Rutland, Vermont;

816. $270,000 to the City of Burlington for construction of the Intervale Food Enterprise Center in Burlington, Vermont;

817 $270,000 for the Vermont Development Initiative to expand their services throughout Vermont;

818. $270,000 for the Vermont Housing and Conservation Board in Stowe, Vermont for the creation of affordable housing;

819. $270,000 for the Vermont Housing and Conservation Board in Newport, Vermont for the expansion of affordable senior housing;

820. $315,000 to the Vermont Housing and Conservation Board for the development of affordable housing in Vergennes, Vermont;

821. $360,000 for the City of Burlington, Vermont for neighborhood revitalization;

822. $360,000 for the Lund Family Center in Burlington, Vermont for building renovations;

823. $450,000 for the Vermont Institute of Science for the construction of a new public education and wildlife center;

824. $810,000 to the Vermont Housing and Conservation Board for infrastructure improvements and other costs related to the development of affordable housing on Depot Street in Burlington, Vermont;

825. $67,500 to the Aberdeen Museum of History in Aberdeen, Washington for facility renovations;

826. $67,500 to the Boys and Girls Club of the Olympic Peninsula for restoration of their Mt. Angeles, Washington facility;

827. $67,500 to the Jefferson County Historical Society in Jefferson County, Washington for building restoration;

828. $67,500 to the Kitsap County Historical Society in Kitsap County, Washington for facility renovations;

829. $90,000 to the City of Mount Vernon, Washington for renovations to the historic Lincoln Theater;

830. $90,000 to the Lummi Indian Nation in Watcom County, Washington for the construction of the Semiahmah Memorial and Coast Salish Heritage Park;

831. $90,000 to Bread and Rose in Olympia, Washington for renovations to a homeless shelter;

832. $90,000 for the City of Forks, Washington for telecommunications initiatives;

833. $90,000 for the Elks Club of Pierce and Thurston Counties in Tacoma, Washington for the Toys for Disabled Youth Project;

834. $90,000 for the Washington State Rural Development Council for the Rural Community Assessment Project;

835. $180,000 for the Rural and Farmworker Housing Trust in Washington for farmworker housing;

836. $180,000 for the Squaxin Island tribe in Shelton, Washington for the Squaxin Island Museum, Library and Research Center;

837. $180,000 for the Wenatchee Valley College Foundation in Wenatchee, Washington to complete construction of the Institute for Rural Innovation and Stewardship;

838. $202,500 to the City of Buckley, Washington for construction of the Buckley Youth Center;

839. $225,000 to the Port of Bremerton, Washington for facilities construction related to expansion of a marina;

840. $225,000 to the Port of Grays Harbor, Washington for facilities construction and buildout for a boat yard;

841. $225,000 for the Friends of Youth of Redmond, Washington for the Griffin Home renovation in Renton;

842. $225,000 for Horizons, Inc. in Sunnyside, Washington for technology training centers;

843. $225,000 for Transitions in Spokane, Washington to purchase a building for the Women's Drop-in Center;

844. $225,000 for the Port of Chelan in Wenatchee, Washington to complete the construction of a community technology center;

845. $225,000 for the Washington State Office of Community Development for a planning and development resource center;

846. $387,000 for the SeattleArt Museum/Museum Development Authority, Washington for costs associated with brownfields cleanup;

847. $405,000 to the Boys and Girls Club of Spokane County, Washington for renovation of facilities;

848. $450,000 for the SWIFT Cyber Corporation in Washington for broadband access;

849. $450,000 for the YWCA of Seattle, Washington for the YWCA Opportunity Place;

850. $495,000 for Kent Youth and Family Services in Kent, Washington to build two new community centers including the Building Better Futures Family Center;

851. $90,000 to the City of Stoughton, Wisconsin for sidewalk, street lighting and furniture, and building renovations;

852. $90,000 to Brown County, Wisconsin for an economic development study for the Port of Green Bay;

853. $90,000 for the Burleigh Street CDC in Milwaukee, Wisconsin for a community and enterprise center;

854. $90,000 for the Genesis Foundation of Madison, Wisconsin for the South Madison Incubator;

855. $112,500 to St. Norbert College of DePere, Wisconsin for construction of a library learning center;

856. $135,000 to the City of Columbus, Wisconsin for sidewalk, street lighting and furniture, and building renovations;

857. $135,000 to the Milwaukee Center for Independence in Milwaukee, Wisconsin for construction of a Children's Diagnostic Center;

858. $135,000 for the City of Racine, Wisconsin for neighborhood redevelopment.;

859. $225,000 to the Metcalfe Park Residents Association in Milwaukee, Wisconsin for sidewalk, street lighting and furniture, and building renovations;

860. $225,000 for the YWCA of Milwaukee, Wisconsin for the rehabilitation of two central city properties;

861. $225,000 for City of Burlington, Wisconsin for development of the Bel-Mur site;

862. $225,000 for the City of Beloit, Wisconsin for the renovation of abandoned Beloit Corporation land;

863. $225,000 for the City of Eau Claire, Wisconsin for downtown revitalization;

864. $360,000 for Madison, Wisconsin for the Novation Technology Campus;

865. $450,000 for the City of Madison, Wisconsin for the development of affordable housing;

866. $630,000 to the Wisconsin Indianhead Technical College in Rice Lake, Wisconsin for construction and expansion of facilities at its new technology center;

867. $675,000 for the City of Milwaukee, Wisconsin for the Menomonee River Valley Redevelopment project;

868. $90,000 to Marshall University's Appalachian Transportation Institute for a study of economic development opportunities in southern West Virginia to support the Southern Highlands Initiative;

869. $90,000 to Marshall University's Appalachian Transportation Institute, West Virginia for economic development planning related to recent flooding;

870. $121,500 for the Kanawha Institute for Social Research and Action for facilities renovation for a business incubator and community center in Kanawha County, West Virginia;

871. $162,000 to the Upper Kanawha Valley Enterprise Community, West Virginia for facilities renovation for a business and community center;

872. $450,000 to the Greenbrier Valley Economic Development Authority for facilities construction in cooperation with the 4-County Economic Development Authority located in Oak Hill, West Virginia focused on development along the Interstate 64 corridor;

873. $720,000 to the Grant County Commission in West Virginia for construction of a community center;

874. $900,000 for the City of Summersville, West Virginia for the expansion of the National Guard Readiness Center;

875. $1,053,000 to the Mid-Atlantic Aerospace Complex, Inc. in Bridgeport, West Virginia for facilities construction;

876. $1,125,000 to Concord College in Athens, West Virginia for facilities construction for an information technology training center;

877. $1,170,000 to the West Virginia High Technology Consortium Foundation, Inc. in Marion County, West Virginia for facilities construction for a high-tech park;

878. $1,575,000 to the Monongalia County Schools Foundation, Inc. in West Virginia for construction of recreational facilities;

879. $1,682,000 to the Vandalia Heritage Foundation, West Virginia for development needs;

880. $1,800,000 for Potomac State College in Keyser, West Virginia for renovation of a library;

881. $2,700,000 for Glenville State College in Glenville, West Virginia for the construction of a new campus community education center;

882. $2,700,000 for West Virginia Wesleyan College in Buckhannon, West Virginia for renovation/expansion of a science hall.

—$42,120,000 for the Neighborhood Initiatives program instead of $23,400,000 as proposed by the House and $40,000,000 as proposed by the Senate. Modified language is included, similar to language proposed by the House and Senate, targeting funds made available under this program. Targeted grants shall be provided as follows:

1. $900,000 for Anchorage, Alaska for an expansion of the Anchorage Museum;

2. $250,000 for the City of Boaz, Alabama for facilities renovations and expansion;

3. $250,000 for the Alabama Historic Commission for the Historic Fort Toulouse-Fort Jackson project;

4. $1,260,000 to the Model City Community Revitalization District Trust in Miami, Florida for the Model City Homeownership project;

5. $1,620,000 to the University of Idaho in Moscow, Idaho for construction of the Performance and Education Facility at the Lionel Hampton Center;

6. $620,000 for the City of Indianapolis, Indiana for the Life Sciences Project;

7. $225,000 to the New Zion Community Foundation Development for continued renovations and improvements for a community resource center in Louisville, Kentucky;

8. $90,000 for The Neighborhood House in Louisville, Kentucky to furnish the community center;

9. $135,000 for the Portland Avenue Community Trust in Louisville, Kentucky for a multi-purpose facility;

10. $225,000 to the St. Stephen Family Life Center of Louisville, Kentucky for renovation of a facility for drug abuse counseling and transitional housing;

11. $135,000 to the New Directions Housing Corporation in Louisville, Kentucky for renovation of the historic Reeser Court Apartments;

12. $135,000 to the Shawnee Gardens Development Corporation of Louisville, Kentucky for the conversion of a building to serve as an independent living senior housing facility;

13. $108,000 to the West Broadway Community Development Corporation in Louisville, Kentucky for development of a multi-purpose facility;

14. $27,000 to the Coalition for the Homeless of Louisville/Jefferson County, Kentucky for a planning grant;

15. $1,000,000 for East Baltimore Development Inc., in Baltimore, Maryland for redevelopment activities in East Baltimore;

16. $1,000,000 to the Palestine Economic Development Corporation for the development of an Urban Assisted Living Center in Kansas City, Missouri;

17. $2,490,000 for the Applied Urban Research Institute in Missouri for a community development initiative;

18. $500,000 for the Seton House Transition Living Center in Missouri for Seton House operation and improvements;

19. $500,000 to Kansas City, Missouri for Columbus Park Neighborhood Improvements;

20. $500,000 for Thomas Jefferson Institute in Missouri for development of a Youth Education Farm;

21. $500,000 for Logan College of Chiropractic for a mitigation compliance project consisting of retention and detention control areas in Chesterfield, Missouri;

22. $1,000,000 for Kansas City, Missouri for streetscape improvements in the Kansas City downtown library district;

23. $500,000 for Urban Strategies for the construction of an affordable mixed income housing property for disabled individuals in the Central West End area of the City of St. Louis, Missouri;

24. $500,000 for the City of Chillicothe, Missouri for downtown revitalization;

25. $500,000 for the City of Cape Girardeau, Missouri for downtown revitalization;

26. $500,000 for the Boys and Girls Club in Glendale, Montana for new program starts;

27. $4,500,000 to the City of Syracuse, New York for the Neighborhood Initiative Program;

28. $1,530,000 to Children's Center in Brooklyn, New York for the construction of a facility to house educational and therapeutic programs for disabled children;

29. $450,000 to The Ohio State University for its Neighborhoods Revitalization Initiative;

30. $750,000 for the City of Cincinnati, Ohio for the development of the Ohio River Trail;

31. $450,000 to the Mandel School of Applied Social Sciences' Center for Community Development at Case Western Reserve University for the Louis Stokes Fellow Program in Community Organization and Development;

32. $1,170,000 to the Northwest Regional Planning Commission in Spooner, Wisconsin for a revolving loan fund to assist tornado-damaged areas in northwestern Wisconsin;

33. $4,500,000 for the Institute for Scientific Research for construction related to a high-technology diversification initiative;

34. $4,050,000 for the Vandalia Heritage Foundation, Inc. for community and neighborhood revitalization and economic diversification initiatives;

35. $450,000 to the U.S. Soccer Foundation for the National Soccer Program Development Initiative;

36. $800,000 for the National Housing Trust/Enterprise Preservation Corporation to preserve affordable apartments for low-income people;

37. $4,400,000 for the Housing Partnership Network for a revolving loan fund for single-family home ownership development and loans to non-profit affordable housing organizations;

38. $1,800,000 for the Girl Scouts of the U.S.A. for youth development initiatives in public housing;

39. $1,800,000 for the Boys and Girls Clubs of America for the operating and start-up costs of clubs located in or near, and primarily serving residents of, public and Indian housing.

The conference agreement does not include bill language designating separate set-asides under this account for the Boys and Girls Clubs of America and the Girl Scouts of the USA as proposed by the Senate, and instead includes funding for these activities under the Neighborhood Initiatives program. The House did not propose funding for these activities.

Includes modified language making technical corrections to certain targeted economic development initiative grants funded under this heading in prior appropriations Acts, similar to language proposed by the House and the Senate.

Includes language transferring no less than $3,400,000 to the Working Capital Fund for development of and modifications to information technology systems as proposed by the House and the Senate.

Includes language regarding the limitation on the use of certain funds for planning, management and administration proposed by the Senate instead of language proposed by the House.

The conferees reiterate the direction included in the House report regarding a report evaluating the inclusion of people with disabilities and their advocates in development of consolidated plans.

COMMUNITY DEVELOPMENT LOAN GUARANTEES PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $6,325,000 for costs associated with section 108 loan guarantees as proposed by the House instead of $14,000,000 as proposed by the Senate. This amount, when combined with unobligated prior year credit subsidy appropriations and loan commitment authority, will provide a total of $13,325,000 in credit subsidy appropriations to support a total loan commitment level of $579,344,000.

BROWNFIELDS REDEVELOPMENT

Appropriates $25,000,000 for brownfields redevelopment as proposed by both the House and the Senate.

The conference agreement retains language proposed by the House to make funds available pursuant to the current statutory authorities instead of language proposed by the Senate.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriates a total of $2,000,000,000 for this account, instead of $2,221,040,000 as proposed by the House and $1,950,000,000 as proposed by the Senate.

The conference agreement includes $1,925,000,000 for the HOME Investment Partnerships program, instead of $2,021,040,000 as proposed by the House and $1,950,000,000 as proposed by the Senate. Language is included designating $40,000,000 for housing counseling as proposed by the Senate instead of $25,000,000 as proposed by the House. In addition, of the total amount provided for the HOME program, $18,000,000 is for technical assistance including $6,000,000 for qualified non-profit intermediaries to provide technical assistance to Community Housing and Development Organizations (CHDOs), instead of $20,000,000 for technical assistance including $8,000,000 for technical assistance to CHDOs as proposed by the House. The Senate did not propose a specific amount for this activity.

In addition, the conference agreement includes $75,000,000 to be allocated by the Secretary to participating jurisdictions to provide downpayment assistance to low-income families to help them achieve homeownership.

The conferees reiterate the direction included in the House report regarding the issuance of guidance regarding the eligibility of manufactured housing under the HOME program.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,225,000,000 for homeless assistance grants, instead of $1,250,000,000 as proposed by the House and $1,215,025,000 as proposed by the Senate. Includes language requiring the renewal of all expiring shelter plus care grants as proposed by the House instead of bill language specifying a dollar amount for this purpose as proposed by the Senate. However, the conferees understand that the current estimate for shelter plus care renewals totals $193,000,000. The conferees expect the Department to provide the full amount necessary to fund these renewals from within the amounts provided.

Language is included as proposed by the House designating $11,000,000 for the national homeless data analysis project and $6,600,000 for technical assistance. The Senate bill included language designating a total of $17,600,000 for these activities but did not specify an amount for each purpose.

Language is not included designating $1,500,000 under this account for the administrative needs of the Interagency Council on the Homeless as proposed by the House. The conference agreement includes $1,500,000 as a separate account in title III of this Act for this purpose as proposed by the Senate.

Language is included designating $10,000,000 for a two-year demonstration program to fund innovative and effective programs to address homelessness as proposed by the House. The conferees reiterate that funds provided for this demonstration are only to be used for the housing portion of such programs. Grantees shall derive supportive services funds from public or private sources other than homeless assistance grants funded under this account. The conferees request that the Department submit an annual report to the Committees on Appropriations on the projects funded under this demonstration and their outcomes, with the first such report due March 15, 2004. The Senate did not propose funding for this activity.

In lieu of the language in the Senate report, the conferees reiterate their support for the creation of additional units of permanent supportive housing and concern over the targeting of the shelter plus care program to chronically homeless people. The conferees are concerned that the Department is not taking the proper steps to determine the extent to which HUD's homeless assistance programs are meeting the needs of chronically homeless people. Therefore, HUD is directed to begin collecting data on the percentage and number of beds and supportive services programs that are serving people who are chronically disabled and/or chronically homeless.

The conferees reiterate the direction and reporting requirement included in the Senate report regarding the collection and analysis of data to assess the effectiveness of the homeless system, and direct that such report also include HUD's timeline for finalizing data requirements for the Homeless Management Information System.

In lieu of the direction included in the Senate report regarding the Iowa continuum of care application, the conferees understand that the Department has addressed the Iowa application to the extent that is legally permissible.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,033,801,000 for housing for special populations as proposed by the Senate instead of $1,100,000,000 as proposed by the House.

Includes $783,286,000 for section 202 housing for the elderly as proposed by the Senate instead of $790,903,000 as proposed by the House. Of this amount, $50,000,000 is for service coordinators and congregate services as proposed by the House instead of $53,000,000 as proposed by the Senate; and up to $25,000,000 is for conversion of eligible section 202 projects to assisted living instead of $30,000,000 as proposed by the House and up to $50,000,000 as proposed by the Senate.

Includes $250,515,000 for section 811 housing for the disabled as proposed by the Senate instead of $259,097,000 as proposed by the House.

The conference agreement does not include language proposed by the Senate to make section 202 and section 811 grant funds available for expenditure for twelve years, but includes modified language to make funds provided under this heading available for obligation for four years rather than three years as proposed by the House and Senate.

The conferees are concerned by the unduly long time it has taken in many cases to complete construction of elderly housing units funded through the section 202 program. While the conferees appreciate the complexities involved in housing construction, the conferees are concerned that many of these delays are attributable to a lack of site control and/or sufficient planning, design and development. Therefore, the conference agreement includes $25,000,000 for a demonstration grant program to facilitate planning, design and development activities for section 202 projects instead of $50,000,000 as proposed by the House. In lieu of the direction included in the House report regarding preference for future capital grant awards, the conferees direct HUD to review current procedures for making awards under the section 202 program to ensure that those entities which can demonstrate their ability to bring projects on-line within the existing timeframes required by HUD, including achieving site control, are given preference under the section 202 program.

The conference agreement includes language, modified from language proposed by

the House, requiring the Secretary to submit a report to the Committees on Appropriations no later than July 15, 2003 which includes the following: (1) actions taken, or planned to be taken, by the Department to accelerate the completion of projects funded under the section 202 program; and (2) alternative plans to restructure or otherwise modify the current section 202 program which would result in the completion of units and expenditure of funds in a more timely fashion, including, but not limited to, the option to restructure this program in a manner which tracks other Federally funded construction programs whereby grants for planning and design, construction, and operations are provided for separately.

The conference agreement does not include language proposed by the Senate authorizing the Secretary to waive any provision of law or regulation governing the section 202 and section 811 programs. The House did not include similar language. Instead, the conference agreement includes modified language limiting the Secretary's waiver authority to only those provisions governing the terms and conditions for project rental assistance contracts and tenant-based voucher contracts to enable the Secretary to limit such initial contracts to no more than a five year term.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

Includes language regarding the transfer of excess rental charges to this fund as proposed by the House and the Senate.

RENTAL HOUSING ASSISTANCE

(RESCISSION)

Includes a rescission of up to $100,000,000 from recaptured excess section 236 funds resulting from the pre-payment of such mortgages as proposed by the House, rather than directing the use of such excess funds to be used for a rehabilitation grant and loan program as proposed by the Senate.

MANUFACTURED HOUSING FEES TRUST FUND

Appropriates $13,000,000 for authorized activities from fees collected in the fund as proposed by the House and Senate.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes a $165,000,000,000 limitation on single-family loan guarantees during fiscal year 2003 as proposed by the House instead of a limitation of $160,000,000,000 as proposed by the Senate.

Establishes a $100,000,000 limitation on direct loans to nonprofits and governmental entities in connection with the sale of HUD-owned single-family properties, instead of a limitation of $50,000,000 as proposed by the House and a limitation of $250,000,000 as proposed by the Senate.

Appropriates $347,829,000 for administrative expenses as proposed by both the House and Senate. Of this amount, $343,807,000 is to be transferred to the salaries and expenses account and not to exceed $4,022,000 is to be transferred to the Office of Inspector General as proposed by both the House and Senate.

Appropriates $85,720,000 for administrative contract expenses and includes language allowing up to an additional $16,000,000 to be made available for such expenses in certain circumstances as proposed by both the House and Senate.

Transfers no less than $21,360,000 from administrative contract expenses under this account to the Working Capital Fund for the development of and modifications to information technology systems as proposed by both the House and Senate.

The conferees reiterate the direction included in the Senate report regarding submission of a report to the Committees on Appropriations on further actions which could be taken to protect homeowners and communities experiencing high rates of defaults and foreclosures on FHA-insured loans, and direct that such report be provided no later than June 2, 2003.

The conferees are aware of concerns regarding the effect the accelerated claims disposition demonstration will have in low-income, distressed neighborhoods, and urge the Department to take the particular needs of these communities into consideration when implementing this demonstration. In lieu of the language included in the Senate report regarding the accelerated claims disposition demonstration program, the conferees direct HUD to provide a report to the Committees on Appropriations no later than August 1, 2003, on savings to the FHA single-family insurance fund and, where possible, the impact of this demonstration on the numbers of foreclosures and re-performing loans within the demonstration, as well as the impact of this program on such communities if such properties are sold to investors or resold in a deteriorated condition.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Establishes a $23,000,000,000 limitation on multifamily and specialized loan guarantees during fiscal year 2003 as proposed by the House instead of a limitation of $21,000,000,000 as proposed by the Senate.

Appropriates $15,000,000 for subsidy costs to support certain multifamily and special purpose loan guarantee programs as proposed by the House and the Senate.

The conferees understand that once the final consolidated OIG audit on section 514 grantees is received, the Department will make a determination whether to lift the suspension, recapture funds spent inappropriately, or bar grantees from receiving funds for four years, based on the OIG assessment of the individual violations. The conferees ask the Department to report on the status of resolution of these findings by April 15, 2003.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriates $10,343,000 for administrative expenses to be transferred to the salaries and expenses account as proposed by both the House and the Senate.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

Appropriates $47,000,000 for research and technology as proposed by both the House and Senate.

Includes $7,500,000 for the Partnership for Advancing Technology in Housing (PATH) initiative, instead of $7,000,000 as proposed by the House and $8,750,000 as proposed by the Senate.

The conferees reiterate the direction included in the Senate report denying demonstration authority without prior congressional approval.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

Appropriates $45,899,000 for the Fair Housing Assistance Program (FHAP) and the Fair Housing Initiatives Program (FHIP) as proposed by both the House and the Senate.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

Appropriates $176,000,000 for lead hazard reduction instead of $126,000,000 as proposed by the House and $201,000,000 as proposed by the Senate.

The conferees agree to allocate funds as follows:

—$10,000,000 for Operation LEAP;

—$96,000,000 for the lead-based paint hazard control grant program to provide assistance to State and local governments and Native American tribes for lead-based paint abatement in private low-income housing;

—$10,000,000 for technical assistance and support to State and local agencies and private property owners;

—$10,000,000 for the Healthy Homes Initiative for competitive grants for research, standards development, and education and outreach activities to address lead-based paint poisoning and other housing-related diseases and hazards; and

—$50,000,000 for an initiative to target lead abatement funds to areas with the highest lead paint abatement needs.

Includes new language making available $50,000,000 on a competitive basis to those areas with the highest lead paint abatement needs as determined by the highest number of pre–1940 units, a disproportionately high number of documented cases of lead-poisoned children and an applicant's demonstrated capacity to implement successfully the proposed uses of the funds. Language is also included requiring that not less than 90 percent of the funds made available under this initiative to be used exclusively for abatement and interim control of lead-based paint hazards. Language is also included requiring recipients of funds awarded under this initiative to provide a matching contribution of not less than 25 percent of the total grant award. The conferees believe that communities with the highest lead paint risk to children must employ an aggressive approach to lead-based paint abatement, and direct that grants made under this new initiative be not less than $2,000,000. The conferees intend that eligible recipients of these funds will be units of local government. In selecting recipients for funding under this initiative, the Department shall consider the capacity of the applicant to use the funds provided, including the success of the applicant in using previously provided Federal dollars for lead-based paint hazard reduction, as well as the applicant's strategies to mobilize public and private resources to address this problem. Grant recipients under this initiative are expected to use funds for abatement and hazard reduction in privately owned rental-housing units that serve low-income families with children under the age of six. Units treated with funds provided under this initiative must remain available for low-income residents for at least three years following treatment of the lead-based paint hazard. The conferees direct the Department to submit an annual report to the Committees on Appropriations on the effectiveness of this program with the first such report due March 1, 2004. Further, the conferees request that the Department review the need for demolition grants under this initiative and provide a report to the Committees on Appropriations by June 27, 2003. The conferees do not intend for any action taken in this Act to prejudice ongoing or future litigation brought against lead pigment manufacturers. Additionally, no action taken in this Act is intended to mitigate the responsibility of housing owners to address the existence of lead-based paint hazards in a timely and expeditious manner.

The conferees are aware that the Department currently reserves approximately 80 percent of the current lead-based paint hazard control grant program funding for allocation to current grantees or previous grantees, with the remaining 20 percent provided for new grantees. The conferees request that the Department evaluate this policy to ensure that such allocation is appropriate to

ensure that resources are made available to communities with the need as well as the capacity to use such grants. Further, the conferees urge the Department to consider the total amount of Federal and non-Federal resources available to address lead-based paint hazards when allocating funds provided for the current lead-based paint hazard control grant program. Further, the conferees expect the Department to award all funds provided for the current lead-based paint hazard grant program on a competitive basis and to report to the Committees on Appropriations by April 15, 2003 on how this requirement is being met.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $1,090,229,000 for salaries and expenses as proposed by the House instead of $1,070,229,000 as proposed by the Senate. Of this amount, $530,299,000 is provided as a direct appropriation under this account as proposed by the House instead of $510,299,000 as proposed by the Senate.

The conference agreement includes language as proposed by the House directing the Department to allocate funds provided under this heading in the manner specified in the joint explanatory statement of the managers accompanying this Act unless the Committees on Appropriations are notified and approve of any changes in the operating plan or through a reprogramming. The conferees reiterate the direction included in the House report regarding such operating plan and reprogramming procedures. The following office and object classifications are to be used as the basis of any changes in funding distributions:

Office of Housing	$294,224,000
Office of Public and Indian Housing	153,971,000
Office of Community Planning and Development	76,174,000
Office of Policy Development and Research	19,147,000
Office of Fair Housing and Equal Opportunity	59,973,000
Office of Healthy Homes and Lead Hazard Control	2,634,000
Government National Mortgage Association	7,233,000
Departmental Management	22,344,000
Center for Faith-Based and Community Initiatives	2,606,000
Office of the Chief Financial Officer	53,986,000
Office of the General Counsel	68,336,000
Office of Field Policy and Management	77,410,000
Office of Administration	241,761,000
Transfer to the Working Capital Fund	10,500,000
Total, Management and Administration	$1,090,229,000

Consistent with modifications to the original budget submission, the object classification distribution, which shall also serve as the basis for the operating plan and reprogramming changes, is as follows:

Personal Services—$830,763,000

Travel and Transportation of Persons—$25,508,000

Transportation of Things—$700,000

Rent, Communications and Utilities—$124,572,000

Printing and Reproduction—$4,644,000

Other Services—$97,807,000

Supplies and Materials—$4,932,000

Furniture and Equipment—$1,180,000

Indemnities—$193,000

The preceding object classification distribution includes $20,000,000 provided for funds control improvements within the Other Services object class. The Department is directed to submit a spending plan allocating these funds no later than April 15, 2003.

Allocations included in the conference agreement are consistent with the distributions included in the Department's budget submission, excluding amounts assumed contingent upon enactment of legislative changes to legacy retirement costs, updated to include the effects of the reorganization implemented during fiscal year 2002 and additional resources provided for funds control improvements. However, the conferees understand recent hiring decisions have resulted in the Department exceeding its requested 9,100 full time equivalents (FTE) level by an estimated 268 FTEs. This increase contradicts the Department's budget justification submission for the fiscal year. In addition, the Committees on Appropriations were not informed of this substantive change in staffing until the funding shortfall caused by this FTE level reached critical proportions. Further, the conferees understand that the Department's hiring actions were in many cases inconsistent with the Department's Resource Estimation and Allocation Process (REAP) resulting in some offices and functions remaining understaffed while other offices and functions are overstaffed. The conferees are disturbed by the Department's failure to adhere to staffing levels set forth in the budget and to meet required notification requirements regarding such changes, as well as by the Department's inability to manage the allocation of staff resources based upon workload requirements. Modified language is included, similar to language proposed by the House, requiring the Secretary to submit a staffing plan for the Department no later than March 15, 2003. In addition, the Department is directed to submit a reprogramming of funds no later than March 15, 2003 that reflects changes from the office and object classification distributions included in this conference agreement, as well as the actions the Department is taking to realign staffing resources to match workload requirements, including any additional staffing requirements resulting from changes made to the section 8 voucher program in this Act.

The Office of Inspector General (OIG) is also requested to review the Department's hiring decisions to determine whether these decisions have been consistent with the Department's staffing needs, program requirements, and applicable personnel practices. The OIG is asked to report to the Committees on Appropriations on its findings no later than August 15, 2003.

Language is included designating $20,000,000 to remain available for two years for funds control improvements as proposed by the House. The Senate bill did not include a similar provision. Language is also included, as proposed by the House, related to funds control improvements. The Senate did not include similar language. The conferees reiterate the concerns expressed in the House report regarding the severe chronic funds control problems at the Department, including the failure of the Department to make timely formal determinations of the violations of Anti-Deficiency Act (ADA) and other appropriations statutes. The conferees reiterate all direction included in the House report regarding this problem, including the direction included in the House report regarding the authority and the responsibility of the Office of the Chief Financial Officer (OCFO) with respect to compliance with appropriations laws, including the ADA. The conferees note that to assist the OCFO in fulfilling these responsibilities, the conference agreement includes language establishing a division of appropriations law within the OCFO and transferring no fewer than four experienced appropriations attorneys from the Legislative Division of the Office of Legislation and Regulations, Office of the General Counsel to the OCFO for such new division. The conferees direct that the Secretary ensure that all attorneys transferred pursuant to the conference agreement have significant experience and expertise in matters of appropriations law, and further direct the Secretary to report to the Committees on Appropriations within 15 days of enactment of this Act on the actions taken to comply with this requirement.

Language is included in the bill placing a limitation on the number of GS–14 and GS–15 positions at the Department as proposed by the House. The Senate did not include similar language.

The conferees reiterate the direction included in the Senate report regarding the limitation on non-career employees.

WORKING CAPITAL FUND

Appropriates $276,300,000 for the Working Capital Fund as proposed by the House instead of $276,737,000 as proposed by the Senate. In addition, the conference agreement includes an additional $75,100,000 by transfer from various accounts to support program-specific information technology systems as proposed by the House and Senate.

Language is included prohibiting funds made available to the Department from being used to award a new contract for the HUD Information Technology Services project until after submission of a comprehensive five-year plan in accordance with the direction included in this joint statement of the managers. The Department is directed to submit a comprehensive five-year plan that meets all the requirements and direction included in the House report. The Senate did not include similar language.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriates $97,499,000 for the Office of Inspector General instead of $96,684,000 as proposed by the House and $97,684,000 as proposed by the Senate. Of this amount, $23,343,000 is provided by transfer from the various funds of the Federal Housing Administration as proposed by the House and the Senate.

In lieu of the direction included in the Senate report, at least $5,000,000 is to be targeted to anti-predatory lending and anti-flipping activities.

CONSOLIDATED FEE FUND

(RESCISSION)

Includes a rescission of $8,000,000 from the Fund as proposed by the Senate. The House proposed similar language but did not designate a specific dollar amount.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriates $30,000,000 for the Office of Federal Housing Enterprise Oversight (OFHEO) to be derived from collections available in the Federal Housing Enterprise Oversight Fund as proposed by the House and the Senate.

The conferees agree that OFHEO must have the necessary staff in order to fully meet its regulatory mission. However, previous staffing plans submitted by OFHEO have often lacked the necessary level of detail required by the Committees on Appropriations to accurately assess the staffing and funding needs of the agency. The conferees expect OFHEO to provide a detailed report to the Committees on Appropriations no later than August 15, 2003, detailing its

current staffing levels and corresponding responsibilities, as well as whether additional staff is required to fully meet its regulatory mission.

ADMINISTRATIVE PROVISIONS

Does not include language to amend section 683(2) of the Housing and Community Development Act of 1972 to authorize service coordinators in section 811 projects as proposed by the Senate. The House did not include similar language.

Does not include language to amend section 9 of the United States Housing Act of 1937 to authorize a new loan-financing program for public housing authorities as proposed by the Senate. The House did not include similar language.

Includes language permanently prohibiting assistance for housing units defined under section 9(n) of the United States Housing Act of 1937 as proposed by the Senate. The House did not include similar language.

Includes language setting forth the reprogramming requirements for funds provided to the Department as proposed by the House. The Senate proposed similar language.

Includes modified language, similar to language proposed by the House, requiring the Department to submit a spending plan for the use of technical assistance, training, and management improvement funds provided for in this Act to the Committees on Appropriations by March 15, 2003. The Senate did not include similar language.

Includes language repealing section 9(n)(1) of the United States Housing Act of 1937 and section 226 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 as proposed by the Senate. The House did not include similar language.

Includes modified language, similar to language proposed by the Senate, requiring the Secretary to maintain section 8 assistance on certain properties occupied by elderly or disabled families. The House did not include similar language.

Does not include language to amend section 8(o) of the United States Housing Act of 1937 to authorize a welfare-to-work voucher program as proposed by the Senate. The House did not include similar language.

Includes language exempting the States of Alaska, Iowa, and Mississippi from the statutory requirement of having a resident on the board of a public housing authority and requires in lieu thereof the establishment of advisory boards which include public housing residents and section 8 recipients as proposed by the Senate. The House did not include a similar provision. While the conferees have again included this exemption, the conferees expect the States to take the appropriate actions necessary to address this issue, rather than continuing to rely on a waiver of this statutory requirement.

Does not include language requiring the Director of the Office of Management and Budget and the Secretary to identify five-year cost projections for contract rental renewals for various HUD programs as proposed by the Senate. The House did not include similar language. The conferees understand that the Department's fiscal year 2004 budget submission includes such information. The Department is expected to continue to provide such information in subsequent fiscal year budget submissions without the need for the conferees to continue this direction in future appropriations Acts.

Includes language to amend section 24 of the United States Housing Act of 1937 to extend the authorization of the HOPE VI program for two years as proposed by the Senate. The House did not include similar language.

Does not include language prohibiting permanently the Secretary from waiving section 8 income eligibility restrictions as proposed by the Senate. The House did not include similar language.

Includes modified language, similar to language proposed by the Senate, requiring the Secretary to provide quarterly reports to the Committees on Appropriations regarding all uncommitted, unobligated and excess funds in each departmental program and activity, and to provide additional updated information upon request. The House did not include similar language.

Does not include language amending 12 U.S.C. 1715z–11a to allow the FHA multifamily insurance fund to be used for grants and loans for rehabilitation of certain non-FHA-insured properties as proposed by the Senate. The House did not include similar language.

Includes modified language, similar to language proposed by the Senate, requiring the Secretary to submit an annual report to the Committees on Appropriations regarding the number of Federally-assisted units under lease and the per-unit costs of such units. The House did not include similar language. The conferees expect such report to include all units funded under the Housing Certificate Fund and should provide the most updated information practicable.

Includes language waiving certain first-time homebuyer requirements to allow the use of a HOPE III grant in the East Baltimore, Maryland community as proposed by the Senate. The House did not include similar language.

Does not include language waiving the statutory environmental review requirements for a community development block grant made to Benton County, Iowa as proposed by the Senate. The House did not include similar language.

Includes new language providing the Secretary flexibility in applying the across-the-board rescission to funds made available in the Housing Certificate Fund.

TITLE III

INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

Appropriates $35,246,000 for salaries and expenses as proposed by the House instead of $30,400,000 as proposed by the Senate.

The conferees have provided an additional $846,000 above the budget request to provide salaries and benefits for up to 20 additional full time equivalent personnel where manpower needs are evident throughout the ABMC system because of reductions in the work week mandated by a foreign government. In addition, $4,000,000 has been provided for additional planning and construction costs associated with a new visitors center at the Normandy American Cemetery and Memorial near St. Laurent-sur-Mer, France. In this regard, the conferees agree that because the ABMC has begun initial planning of the project and may soon move to design and other pre-construction activities, a restriction on the use of funds for this project contained in the fiscal year 2002 appropriations legislation is withdrawn.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

Provides a total funding level of $7,850,000 as proposed by the Senate instead of $6,500,000 as proposed by the House. Of this amount $1,400,000 is derived from fiscal year 2002 unobligated balances. The conferees have provided $500,000 of the amount appropriated in fiscal year 2003 to be available through fiscal year 2004 as proposed by the Senate instead of $2,500,000 as proposed by the House. The conferees have included bill language again this fiscal year which limits the number of career Senior Executive Service positions to three.

The conferees reiterate the House position regarding reprogrammings for the Board and that the use of carryover funds is subject to these same requirements.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

PROGRAM ACCOUNT

Appropriates $75,000,000 for the Community Development Financial Institutions Fund instead of $80,000,000 as proposed by the House and $73,000,000 as proposed by the Senate.

Includes $5,000,000 for technical assistance designed to benefit Native American communities as proposed by the Senate instead of $2,000,000 as proposed by the House.

Provides $10,750,000 for administrative expenses as proposed by the Senate instead of $11,050,000 as proposed by the House.

Provides for a limitation on the amount of direct loans of $11,000,000 as proposed by both the House and Senate.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriates $57,000,000 for the Consumer Product Safety Commission, salaries and expenses, instead of $57,117,000 as proposed by the House and $56,767,000 as proposed by the Senate.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

Appropriates $429,000,000 for national and community service programs operating expenses instead of $405,842,000 as proposed by the Senate. The House provided authority for prior year funds to be used to terminate the Corporation and did not include any other provisions under this account.

Limits the fiscal year 2003 AmeriCorps enrollment to no more than 50,000 new members who incur obligations from the National Service Trust as proposed by the Senate. The conferees were dismayed to learn of the gross financial mismanagement of the Trust Fund and over-commitments made to various organizations without the financial resources to support those obligations, especially after years of providing funds for and directing the Corporation to strengthen grant management systems and financial controls. While the current leadership of the Corporation is to be commended for bringing these issues to light, the conferees maintain that the Corporation needs time to resolve the financial weakness and oversight issues within the organization before the program can grow. To that end, the conferees have approached fiscal year 2003 funding for the Corporation with two guiding principles: 1) stabilization of the Corporation's programs and resources; and 2) maintenance of commitments to graduates of the Corporation's programs.

Limits administrative expenses to not more than $32,500,000, of which not more than $2,500 is for reception and representation expenses as proposed by the Senate. The conferees direct $18,000,000 for program administration, $12,000,000 for Governor-appointed State Commissions on National and Community Service, and $2,500,000 for the Office of the Chief Financial Officer to enact financial reform in the Corporation.

Limits $100,000,000, instead of $15,000,000 as proposed by the Senate, to be transferred to the National Service Trust, of which up to

$5,000,000 shall be available for national service scholarships for high school students. The conferees did not provide funds for the Senior Service Initiative. The conferees amend the quarterly reporting requirement as proposed by the House and Senate regarding expenditures under the Trust to include an additional reporting requirement of enrollment data on the authorized and actual number of AmeriCorps members to be submitted by March 31, 2003. The conferees further direct the Corporation to ensure immediately that funds are available to pay the education awards earned by program graduates before any new members are enrolled in the Trust.

Limits $275,000,000 for subtitle C grants under the National Service Trust of which not more than $50,000,000 may be for national direct programs, and $100,000,000 is transferred to the National Service Trust. Grants are to be made according to peer review panel recommendations. The Senate proposed limiting the subtitle C grants to $240,492,000 of which not more than $47,000,000 could be used for national service programs. This funding level provided will support 50,000 new volunteers enrolled in the Trust in fiscal year 2003. The conferees direct the continuation of two programs areas to be funded in fiscal year 2003 at a level proportionate to last year considering the funding provided in fiscal year 2003: 1) programs designed to help children read by third grade, and 2) programs which provide information technology skills to students and teachers in low-income communities.

Provides $10,000,000 to the Points of Light Foundation, of which up to $2,500,000 may be used for an endowment as proposed by the Senate.

Prohibits the use of funds for national service programs run by other agencies and directs the Corporation to reduce the Federal cost per participant as proposed by the Senate.

Limits funding for the National Civilian Community Corps to $25,000,000 as proposed by the Senate. The conferees reduced the funding level from the budget request without prejudice.

Limits funding for subtitle B grants for school-based and community-based service learning programs to $43,000,000 as proposed by the Senate.

Limits funding for subtitle H grants, innovation, demonstration and assistance activities, to $35,500,000 instead of $29,850,000 as proposed by the Senate. The conferees have provided $500,000 for Martin Luther King Jr. Day grants, $100,000 for the Fellowship program, $8,000,000 for training and technical assistance, $6,000,000 for education award grants, $5,000,000 for Promise Fellows, and $5,900,000 for disability programs. Further, the conferees have provided $4,000,000 for grants to encourage the next generation of national service organizations as proposed by the Senate. The conferees have not provided the full funding request for recruitment activities since most of the fiscal year 2003 positions are filled, nor have the conferees provided funds for any innovation or demonstration program utilizing vouchers. The conferees do not recommend the request to transfer Education Awards and Promise Fellows programs from Innovation Activities to AmeriCorps Grants.

Provides $6,000,000 for challenge grants under subtitle H as proposed by the Senate. The conferees amend the criteria for challenge grants by requiring a 2–to–1 private to Federal dollar matching requirement for grant recipients and limiting the grants to one year in duration.

Provides $5,000,000 for America's Promise as proposed by the Senate. The conferees amend the reporting requirement proposed regarding funding and performance with a new reporting date of March 31, 2003.

Limits funding for audits and evaluations to $3,000,000, instead of $5,000,000 as proposed by the Senate. The conferees did not provide funding for the proposed research-based institute in partnership with a university or non-profit organization.

Rescinds $48,000,000 from prior year unobligated balances identified within funds appropriated between fiscal year 1998 and fiscal year 2002 across all grant programs. None of the rescission is derived from the National Service Trust.

The conferees remind the Corporation of the reporting and reprogramming requirements set forth at the beginning of this division. Various reporting requirements listed in both the House report and the Senate record must be fulfilled with the submission of the fiscal year 2003 operating plan unless otherwise noted. Further, the conferees direct the Corporation to provide better, detailed information in the budget request regarding planned and on-going activities, the costs of those activities, and the expected results.

The conferees reiterate the directive to the Corporation to establish performance measures for each grantee, require each grantee to submit a correction plan should the grantee not meet the agreed-upon measures, and reduce or terminate any award where, after due process, the grantee does not meet the performance plan.

OFFICE OF INSPECTOR GENERAL

Appropriates $6,000,000 for Office of Inspector General instead of $5,000,000 as proposed by the House and $6,900,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

Retains the administrative provisions proposed by the Senate regarding qualified student loans eligible for education awards and the availability of funds for the placement of volunteers with disabilities. The House included a similar provision regarding qualified student loans, but with technical differences.

U.S. COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

Appropriates $14,326,000 for salaries and expenses as proposed by the House instead of $14,612,000 as proposed by the Senate.

The conferees believe all federal employees should be safe in their work environments. The General Services Administration (GSA) is responsible for providing security for the Federal tenants of privately owned buildings. The conferees strongly urge the Court, together with the other tenants of the building, to work with GSA, in consultation with the Department of Homeland Security, on a security plan acceptable to all tenants, the community and the owner. The cost of the plan should be borne equally by all tenants.

The conferees remind the Court of its obligation to comply with the reprogramming requirements set forth at the beginning of this division and direct the Court to submit an operating plan to the Committees on Appropriations of both the House and Senate 60 days after enactment of this Act.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

Appropriates $32,445,000 for salaries and expenses as proposed by the House instead of $24,445,000 as proposed by the Senate. Additional funds are provided for repairs to the Memorial Amphitheater and accelerated development of section 90.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Appropriates $84,074,000 for the National Institute of Environmental Health Sciences as proposed by the House instead of $76,074,000 as proposed by the Senate. Of the appropriated amount, $48,936,000 is for research and $27,138,000 is for worker training activities as proposed in the budget submission.

In addition, the conferees have provided $8,000,000, split equally between research and worker training, for NIEHS activities related to the terrorist attacks of September 11, 2001 which had been appropriated in a Supplemental Appropriations Act but not requested by the Administration as a contingent emergency.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

Appropriates $82,800,000 for toxic substances and environmental public health instead of $88,688,000 as proposed by the House and $81,000,000 as proposed by the Senate. Of the amount provided, $1,800,000 is intended to reimburse ATSDR for direct and indirect costs of the Agency related to the events of September 11, 2001.

Bill language has again this year been included which permits the Administrator of the Agency for Toxic Substances and Disease Registry (ATSDR) to conduct other appropriate health studies and evaluations or activities in lieu of health assessments pursuant to section 104(i)(6) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA). The language further stipulates that in the conduct of such other health assessments, evaluations or activities, the ATSDR shall not be bound by the deadlines imposed in section 104(i)(6)(A) of CERCLA. Funds provided for fiscal year 2003 cannot be used by the ATSDR to conduct in excess of 40 toxicological profiles.

From within the funds provided, the conferees expect ATSDR to establish a fish consumption advisory pilot program in the State of Michigan, implement a multi-faceted health study of polychlorinated biphenyl exposure in Anniston, Alabama, and monitor and assess the long-term health status of children, adolescents, and young adults in Herculaneum, Missouri regarding their exposure to lead.

Finally, the conferees have again agreed to cap administrative costs charged by the CDC at 7.5 percent of the amount appropriated herein for the ATSDR.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

Appropriates $720,261,000 for science and technology instead of $714,578,000 as proposed by the House and $707,203,000 as proposed by the Senate. The conferees have included language similar to that proposed by the House giving EPA the ability to contract for the temporary or intermittent services of students or recent graduates. The language, with technical differences, is similar to language adopted in Public Law 106–113 to provide such authority to the United States Geological Survey.

The conferees have agreed to the following increases above the budget request:

1. $2,500,000 for EPSCoR;
2. $4,000,000 for the Water Environmental Research Foundation;
3. $5,000,000 for the American Water Works Association Research Foundation;

4. $2,000,000 for the National Decentralized Water Resource Capacity Development Project, in coordination with EPA, for continued training and research and development program;

5. $9,750,000 for the STAR Fellowship program;

6. $1,000,000 for the American Water Works Association as a one-time grant to assist AWWA in its drinking water security training activities;

7. $5,000,000 for small system arsenic removal research, for a total of $11,800,000 in fiscal year 2003. The conferees strongly encourage EPA to utilize a significant portion of this funding to carry out demonstrations of implementation of low-cost treatment technology and directs the Agency to report to the Committees on Appropriations by August 15, 2003, on its plans to carry out such demonstrations;

8. $900,000 for the University of South Alabama, Center for Estuarine Research;

9. $450,000 for the city of San Bernardino, California/San Bernardino Valley Metropolitan Water District for the Lakes and Streams project;

10. $675,000 to the University of California, Riverside for continued research of advanced vehicle design, advanced transportation systems, vehicle emissions, and atmospheric pollution at the CE-CERT facility;

11. $450,000 to the Monterey County, California Water Resources Association for planning activities for the Salinas Valley Water Project;

12. $1,800,000 for the International Center for Water Technology at California State University, Fresno;

13. $900,000 for the Central California Air Quality Study conducted by the Central California Air Quality Coalition;

14. $720,000 to Barry University for minority science training;

15. $900,000 to the University of Miami in Florida for the Rosenstiel School of Marine and Atmospheric Science for continued research into coral reefs;

16. $270,000 to Florida International University to utilize non-destructive techniques to characterize and develop contamination strategies;

17. $225,000 for ongoing research and development of multipurpose sensors for detecting and analyzing environmental contaminants at Boise State University, the University of Idaho and the University of Utah;

18. $450,000 to the Illinois Waste Management and Research Center through the University of Illinois at Urbana/Champaign for implementation of a program to increase the adoption of innovative pollution prevention technologies by businesses;

19. $180,000 for the Geothermal Heat Pump Consortium;

20. $450,000 for the National Center for Manufacturing Sciences in Ann Arbor, Michigan for assisting EPA in meeting the Strategic Goals Program in the metal finishing sector;

21. $450,000 for the Michigan Biotechnology Institute for development and demonstration of environmental cleanup technologies;

22. $450,000 for the Great Lakes Hydrological Center of Excellence at Western Michigan University;

23. $180,000 to Montana State University Bozeman to develop a Water Center Drinking Water Assistance Program for Small Systems;

24. $225,000 to the Desert Research Institute for Clean Water Research of the Western Great Basin Rivers;

25. $6,885,000 for the Environmental Systems Center of Excellence at Syracuse University for research and technology transfer in the fields of indoor environmental quality and urban ecosystems sustainability;

26. $180,000 to the State University of New York, College of Environmental Sciences and Forestry for research and outreach at the Roosevelt Sustainability Center;

27. $450,000 to the Syracuse Research Corporation in Syracuse, New York, a not-for-profit corporation, for the continuation of environmental research at its Probability Risk Assessment Center;

28. $900,000 for the Integrated Petroleum Environmental Consortium;

29. $450,000 for the University of South Carolina for a geologic study for uranium groundwater contamination;

30. $1,800,000 for the Mickey Leland National Urban Air Toxics Research Center;

31. $450,000 for the Texas Institute for Applied Environmental Research at Tarleton State University;

32. $450,000 for the Texas Institute for Environmental Assessment and Management at the University of North Texas, Denton, Texas;

33. $873,000 for the Canaan Valley Institute in close coordination with the Regional Vulnerability and Assessment (ReVA) initiative to develop research and educational tools using integrative technologies to predict future environmental risks and support informed, proactive decision-making to be undertaken in conjunction with the Highlands action program;

34. $450,000 for the Dauphin Island Sea Lab, Dauphin Island, Alabama, for coastal ecosystem research;

35. $630,000 for the Center for the Conservation of Biological Resources at Black Hills State University, South Dakota;

36. $675,000 for Clean Air Counts of Northeastern Illinois to develop an innovative and cost effective method to reduce smog-causing emissions in the Chicago metropolitan region. The funding will provide support for an ongoing partnership involving EPA, the Metropolitan Mayors Caucus, Illinois EPA, and the Delta Institute;

37. $720,000 for the Contra Costa Water District, California, for applied research studies related to the water quality and water treatment challenges facing Bay Delta water users;

38. $720,000 for Lake Superior State University for education and research on aquatic biota and their associated habitats;

39. $675,000 for the Louisiana Environmental Research Center at McNeese State University for research into wetland ecology and the environmental effects of oil spills;

40. $270,000 for the Foundation for Advancements in Science and Education in Vermont for a pesticides recording project;

41. $675,000 for the Southwest Clean Air Quality Agency's Columbia Gorge Air Quality Technical Foundation Study;

42. $450,000 for the Center for the Study of Metals in the Environment;

43. $1,080,000 for the Center for Air Toxic Metals at the Energy and Environmental Research Center;

44. $90,000 for the University of Vermont's Proctor Maple Research Center to continue mercury deposition monitoring effects;

45. $315,000 for acid rain research at the University of Vermont;

46. $450,000 for the City of Glendale, California for research and development of technology for the removal of Chromium 6 from water;

47. $450,000 for the Consortium for Plant Biotechnology Research;

48. $900,000 for the National Environmental Respiratory Center at the Lovelace Respiratory Research Institute;

49. $3,510,000 for the Mine Waste Technology Program at the National Environmental Waste Technology, Testing, and Evaluation Center;

50. $1,350,000 for the Connecticut River Airshed-Watershed Consortium;

51. $630,000 for the Mid-America Regional Council to apply urban agroforestry technologies to meet community green infrastructure needs;

52. $900,000 for the Environmental Lung Center at the National Jewish Medical and Research Center; and

53. $1,800,000 for air quality program for Fairbanks North Star Borough, Alaska.

The conference agreement provides $8,000,000 for the National Environmental Technology Competition, a decrease of $1,750,000 from the budget request. In this regard, the Agency is directed to report by August 1, 2003 on its efforts to develop a ''one stop shop'' office to coordinate similar programs which foster private and public sector development of new, cost-effective environmental technologies.

The conference agreement includes a general reduction to this account of $16,100,000.

The conferees continue to support the partnership between the EPA and the National Technology Transfer Center and direct that the Agency continue the cooperative agreement at the fiscal year 2001 funding level. Additionally, the conferees have provided $850,000 from within available funds for the Agency to contract with the National Academy of Sciences for an evaluation of the Coeur D'Alene Basin, Idaho Superfund site in a manner consistent with the reports of the House and Senate accompanying this Act.

From within amounts transferred to ''Science and Technology'' from ''Hazardous Substance Superfund'', the conferees direct that funding for the Gulf Coast Hazardous Substance Research Center continue at no less than the fiscal year 2002 level. Also from within these transferred amounts, the Agency is directed to provide no less than $8,000,000 for continuation of the SITE program.

The conferees agree that the drinking water security report requested by the Senate shall be provided no later than June 30, 2003.

Finally, the conference agreement modifies a provision included in the Report accompanying the Senate bill requiring EPA to study the procedures used by the States in setting individual State emission standards. The conferees direct that the Agency, rather than conduct such a study with its own personnel, contract with the National Academy of Sciences to conduct the review and submit a report to the Committees on Appropriations of its findings not later than February 15, 2004. The conferees have provided $750,000 from within available funds in support of this contract.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

Appropriates $2,111,604,000 for environmental programs and management instead of $2,111,677,000 as proposed by the House and $2,136,569,000 as proposed by the Senate. The conferees have included language as proposed by the House which requires the Administrator to certify grant amendment numbers C–340461–02 and C–340461–03.

The conferees have agreed to specific Agency program levels as follows:

1. $22,651,000 for the Chesapeake Bay Program, an increase of $2,000,000 above the budget request for small watershed grants;

2. $16,000,000 for the Great Lakes National Program Office, an increase of $872,000 above the request;

3. $24,521,000 for the National Estuary Program, an increase of $5,275,000 above the budget request;

4. $5,000,000 for the Gulf of Mexico program, an increase of $673,000 above the budget request;

5. $2,500,000 for the Long Island Sound Program Office, an increase of $2,023,000 above the budget request;

6. $5,500,000 for Environmental Justice programs, an increase of $1,421,000 above the budget request;

7. $182,000,000 for the Compliance Assistance, Compliance Monitoring, and Civil Enforcement programs within the Office of Enforcement and Compliance Assurance, an increase of $15,224,000 above the budget request;

8. $2,500,000 for the Lake Champlain Basin Program, an increase of $1,545,000 above the budget request;

9. $1,000,000 for the Lake Pontchartrain Basin Restoration Program, an increase of $1,000,000 above the budget request;

10. $10,000,000 for Capacity Building, an increase of $489,000 above the fiscal year 2002 funding level;

11. $13,057,000 for Information Integration, an increase of $7,273,000 above last year's level;

12. $44,500,000 for Legal Services, an increase of $2,716,000 above the fiscal 2002 level;

13. $14,750,000 for the TRI/Right-to-Know program, an increase of $549,000 above last year;

14. $27,200,000 for the EPM account's portion of the Brownfields program, an increase of $24,381,000 above the level provided in fiscal year 2002; and

15. $33,000,000 for regulatory development, an increase of $5,588,000 above the fiscal year 2002 funding level.

The conference agreement provides for a general reduction for the ''Environmental Programs and Management'' account of $45,001,000. Further, the agreement provides for no reductions as proposed by the House for the Management Services and Stewardship and Planning and Resource Management activities, and provides for no increase in the Energy Star program as proposed by the Senate.

The conferees have agreed to the following increases to the budget request:

1. $18,000,000 for rural water technical assistance activities and groundwater protection with distribution as follows: $10,000,000 for the NRWA; $4,000,000 for RCAP, to be divided equally between assistance for water programs and assistance for wastewater programs; $1,000,000 for GWPC; $2,000,000 for Small Flows Clearinghouse; and $1,000,000 for the NETC;

2. $1,000,000 for the National Biosolids Partnership Program;

3. $2,000,000 for source water protection programs;

4. $5,000,000 for a cost-shared grant program to school districts for necessary upgrades of their diesel bus fleets;

5. $2,000,000 to the NRWA to assist small water systems to conduct vulnerability assessments as required in title IV of the Public Health Security and Bioterrorism Preparedness Response Act of 2002;

6. $3,000,000 for EPA's National Computing Center to provide for the remote mirroring of all critical information and related systems to achieve a Continuance of Operations (COOP)/Disaster Recovery capability;

7. $4,000,000 for grants to interested States to establish a long-term ambient monitoring and assessment framework at relevant geographic scales to support all water quality management objectives;

8. $450,000 to the University of Arkansas to develop bio-engineering solutions to watershed management;

9. $450,000 for the San Joaquin River Resource Management Coalition of California;

10. $225,000 to establish a Santa Ana River Watershed Research and Training Program at the Water Resources Institute of California State University, San Bernardino;

11. $225,000 for the San Bernardino Valley Municipal Water District for research and design (cost evaluation and environmental studies) of a mitigation project addressing the city's contaminated high groundwater table and dangers presented by liquefaction;

12. $270,000 for the Sacramento River Toxic Pollutant Control Program and Sacramento River Watershed Program;

13. $225,000 to Edward Waters College of Jacksonville, Florida for research education and training with regard to community environmental conditions;

14. $1,350,000 for enhanced environmental education, research and training programs at Florida Gulf Coast University's Institute for Coastal and Watershed Studies;

15. $270,000 to Miami-Dade County, Florida for lead screening, testing, outreach, and education in the Liberty City Neighborhood;

16. $270,000 to Miami-Dade County, Florida to expand the existing environmental education program;

17. $450,000 to the Georgia Environmental Training and Education Authority for a lagoon waste management demonstration project;

18. $900,000 to the Columbus Water Works, Columbus, Georgia for an Advanced Biosolids Flow-Through Thermophilic Treatment Process demonstration project;

19. $180,000 to Cerro Gordo County, Iowa for environmental planning related to the Ventura Marsh initiative and overall water quality assessment in connection with the Clear Lake, Iowa Restoration Project;

20. $270,000 to the Friends of the Teton River, Inc. for the Upper Teton Watershed project;

21. $675,000 to the Illinois Environmental Protection Agency for the Fox River Watershed Management Program;

22. $450,000 to Purdue University in Indiana for the Contaminant Remediation Optimization Program (CROP);

23. $180,000 for the Equus Beds Water Quality Protection program in Wichita, Kansas;

24. $450,000 for the Boston Metropolitan Area Planning Council, in cooperation with the Massachusetts Technology Collaborative, for a Comprehensive Water Resources Strategy for the I–495 Corridor of Massachusetts;

25. $270,000 to Caroline County, Maryland for the initial design and engineering of a regional plan for wastewater needs;

26. $157,500 for the Hypoxia Education and Stewardship Project in Kansas City, Missouri;

27. $225,000 for continuation of the Mecklenburg County, North Carolina Surface Water Improvement Management Initiative;

28. $765,000 for continued activities of the North Carolina Central University research initiative;

29. $225,000 for Wake County, North Carolina for planning, environmental analysis and design of a watershed management plan;

30. $225,000 to Rowan University in Glassboro, New Jersey for the Environmental Community Revitalization and Research Initiative;

31. $900,000 to continue the sediment decontamination technology demonstration in the New York-New Jersey Harbor;

32. $450,000 to the Tompkins County, New York Soil and Water Conservation District for the Cayuga Lake Watershed Protection Project;

33. $450,000 for the Alfred University Center for Environmental and Energy Research;

34. $135,000 to the Town of North Salem, New York for the Peach Lake pollution study;

35. $675,000 to Columbia University in New York City, New York for education, training and equipment related to ongoing biomedical research on environmentally induced cancers and immunological responses, at the Audubon Biomedical Science and Technology Park;

36. $900,000 for the Water Systems Council Wellcare™ Program;

37. $225,000 to the Rochester Institute of Technology (RIT) for the National Materials Recovery and Recycling Center of Excellence;

38. $1,350,000 for continued work on water management plans for the Central New York watersheds in Onondaga and Cayuga counties;

39. $675,000 to Cortland County, New York for continued work on the aquifer protection plan, of which $150,000 is for continued implementation of the comprehensive water quality management program in the Upper Susquehanna Watershed;

40. $90,000 for a Water Consortium Feasibility Study in Oklahoma with Washington County Water District #3, Rogers County Rural Water District #3, the City of Collinsville, and the City of Owasso;

41. $450,000 to Rural Enterprises of Oklahoma, Inc., a non-profit organization, for demonstration projects which include research, education and training activities related to the development of environmentally beneficial vermicomposting processes;

42. $450,000 for the City of Philadelphia, Pennsylvania's Department of Health in consultation with the Philadelphia Citizens for Children and Youth for lead screening, testing, outreach, and education throughout the City;

43. $1,800,000 to the American Cities Foundation of Philadelphia, Pennsylvania in consultation with the Philadelphia Commercial Development Corporation for the Neighborhood Environmental Action Team (N.E.A.T.) Philadelphia program;

44. $450,000 for the Texas Agricultural Experiment Station in Tarrant County, Texas for research of water supplies and development of an integrated watershed protection plan;

45. $315,000 to the Brazos River Authority of College Station, Texas for the Brazos/Navasota Watershed Management Project;

46. $180,000 to the Tri-State Water Council for the Clark Fork-Pend Oreille Tri-State Water Quality Study;

47. $1,467,000 for on-going activities at the Canaan Valley Institute, including activities relating to community sustainability;

48. $1,530,000 for the Canaan Valley Institute to continue to develop a regional sustainability support center and coordinated information system in the Mid-Atlantic Highlands;

49. $810,000 to the Polymer Alliance Zone's MARCEE initiative;

50. $270,000 to the West Virginia High Technology Consortium Foundation, Inc. (WVHTCF) for research to demonstrate the capture and utilization of CO2 and CH4 at the Meadowfill Landfill near Bridgeport, West Virginia;

51. $405,000 to the Fayette County Commission of West Virginia for a wastewater treatment engineering study to address water quality concerns in the New River Gorge National River;

52. $5,000,000 for America's Clean Water Foundation for implementation of on-farm environmental assessments for livestock operations;

53. $225,000 for the Maryland Bureau of Mines for an acid mine drainage remediation project;

54. $900,000 for projects demonstrating the benefits of Low Impact Development along the Anacostia Watershed in Prince Georges County, Maryland;

55. $45,000 for the Northwest Straits Commission;

56. $630,000 for the Northwest Indian Fisheries Commission with distribution as follows: $144,000 to the Northwest Indian Fisheries Commission for coordination and

$486,000 to be divided among the 26 participating tribes to implement this tribal initiative by integrating state, Federal, tribal and local governmental efforts to develop common water quality protection goals and reduce jurisdictional barriers;

57. $180,000 for the Columbia Basin Groundwater Area Management Study;

58. $450,000 for the Gateway Cities Council of Governments, California, pilot program to reduce diesel emissions;

59. $225,000 for the Illinois Department of Agriculture's Council on Best Management Practices initiative to reduce nitrate contamination in drinking water;

60. $225,000 for the CropLife Foundation North Carolina environmental stewardship project;

61. $450,000 for the Center for Agricultural and Rural Development at Iowa State University for the Resource and Agricultural Policy Systems program;

62. $450,000 for the Small Business Pollution Prevention Center at the University of Northern Iowa;

63. $675,000 for the painting and coating assistance initiative through the University of Northern Iowa;

64. $90,000 for the American Farmland Trust Center for Agriculture in the Environment for sustainable agriculture in Hawaii and the American Pacific;

65. $450,000 for the Economic Development Alliance of Hawaii to promote biotechnology to reduce pesticide use in tropical and subtropical agricultural production;

66. $225,000 for the County of Hawaii and the Hawaii Island Economic Development Board to establish and implement a community development model for renewable resource management by upgrading solid waste transfer stations into community recycling centers;

67. $225,000 for a storm water research initiative at the University of Vermont;

68. $180,000 for the Vermont small business compliance assistance project conducted by the Vermont Small Business Development Center;

69. $144,000 for the Great Lakes Fish and Wildlife Commission Crandon Mine analysis;

70. $450,000 for the Sand County Foundation in Wisconsin for an incentive program to promote the reduction of nitrogen discharge in the Upper Mississippi River Basin;

71. $225,000 for Livingston Parish, Louisiana, for a water and wastewater infrastructure feasibility study;

72. $225,000 for the Vermont Department of Agriculture to work with conservation districts and local communities to reduce nonpoint source run-off in the Potash Brook watershed;

73. $225,000 for the Nevada Department of Environmental Protection to work with California water officials to address Lake Tahoe water quality issues;

74. $225,000 for the University of Nevada, Reno to conduct water testing and related studies of the arsenic problem and its impact in Fallon, Nevada;

75. $45,000 for the Tioga County Department of Economic Development and Planning, New York, for the Owego infrastructure master plan;

76. $180,000 for design, engineering, and planning activities related to the pollution prevention of Wreck Pond and nearby beaches in Spring Lake, New Jersey;

77. $135,000 for the New Jersey EnvironMentors project;

78. $315,000 for planning and engineering studies for the Storm Lake, Iowa, cleanup project;

79. $225,000 for the University of West Florida P.E.R.C.H. (Partnership for Environmental and Community Health) research project;

80. $180,000 for the Northeast Waste Management Officials Association to continue solid waste, hazardous waste, cleanup, and pollution prevention programs;

81. $180,000 for the Northeast States for Coordinated Air Use Management (NESCAUM);

82. $2,250,000 for the National Alternative Fuels Training Consortium;

83. $1,350,000 for the Ecological and Water Resources Assessment Project;

84. $450,000 for the Valley Water Mill Watershed Education and Demonstration Center in Missouri;

85. $180,000 for the Sutherlin, Oregon Water Control District's Watershed Assessment Project;

86. $450,000 for the Kenai River Center in Kenai, Alaska;

87. $1,800,000 for Region 10 environmental compliance activities in Alaska;

88. $1,800,000 for the Coeur d'Alene Basin Commission to continue a pilot program for environmental response, natural resource restoration and related activities;

89. $1,350,000 for ORSANCO for the Ohio River Pollution Reduction Program;

90. $450,000 for the University of Southern Maine for environmental education activities;

91. $1,350,000 for the University of Louisville for the Stream Restoration Institute;

92. $2,250,000 for the Southwest Center for Environmental Research and Policy;

93. $3,600,000 for the Small Public Water System Technology Centers at Western Kentucky University, the University of New Hampshire, the University of Alaska-Sitka, Pennsylvania State University, the University of Missouri-Columbia, Montana State University, the University of Illinois, and Mississippi State University;

94. $900,000 to complete the full feasibility study/environmental impact statement for the Medford, Oregon, effluent reuse project; and

95. $900,000 for the Alabama Department of Environmental Management for the Alabama Water and Wastewater Training Program.

The conference agreement provides $9,160,000 from within available funds for the continuing operation of the Environmental Education programs. In this regard, the Agency is directed to proportionately distribute funds for the Environmental Education programs in a manner consistent with the provisions of the National Environmental Education Act.

The conferees have, within available funds, provided the fiscal year 2002 level for the eight Environmental Finance Centers. Also within available funds, the Agency is directed to provide $350,000 for maintenance and updating of the Cumulative and Aggregate Risk Evaluation System software package; $250,000 to continue development of BASINS models, GIS mapping, integration with other financial and planning tools, and incorporation of cost-effectiveness considerations into integrated priority ranking systems; and $200,000 for setting standards and to increase public and government awareness of the benefits of ambient temperature glass technology.

The Agency's budget submission for fiscal year 2003 called for a significant reduction in work conducted through the Climate Protection/Transportation program. So that work conducted under this program can be phased in a more appropriate manner, the conferees direct EPA to provide no less than $5,000,000 from within available funds for work of the FEV/Clean Automotive Technology program on advanced hydraulic hybrid vehicles, extremely clean diesel technologies, and advanced gasoline engine concepts.

The conferees expect EPA to establish and implement a Highlands Action Program (HAP) in partnership with Canaan Valley Institute (CVI) to take action on the problems identified in the follow-up Mid-Atlantic Highlands report that Congress directed the EPA to prepare in the fiscal year 2002 House and Conference Reports. The HAP should, among other things, use environmental indicators, strong science, and partnerships to identify the causes of those problems; develop solutions and management actions to resolve the identified problems; and develop a management plan that includes states, non-governmental organizations, local communities and the private sector. The Agency is expected to periodically assess the status of the HAP and report back to Congress on the findings and the successes of the program.

The Agency is directed to submit as part of the fiscal year 2003 Operations Plan a resource plan detailing the number of pesticide tolerance reassessments and re-registrations required under FQPA, the number and kind of such activities completed since 1996, the status of the remaining activities, including the projected number to be completed year-to-year under FQPA, and the level of resources needed to meet these requirements. Similarly, the Agency is expected to include in its fiscal year 2003 Operations Plan a report of its actions and accomplishments towards restoring personnel in its civil enforcement program, as well as a report of the Agency's plan towards aggressively filling and retaining FTE vacancies within OECA.

Last year, the Agency was asked by the House of Representatives' Chairman of the Appropriations Subcommittee on Veterans Affairs, Housing and Urban Development, and Independent Agencies to undertake an agreement with the National Academy of Sciences (NAS) to review the current draft Dioxin Reassessment. Among other things, the review was intended to address the toxicological questions associated with dioxin, including, the scientific evidence for the appropriate classification of dioxin as to its potential human carcinogenicity, the validity of the non-threshold linear dose-response model in light of epidemiological studies and the corresponding cancer slope factor calculated by the Agency through use of this model, the scientific evidence supporting the calculation and use of Toxicity Equivalent Factors, and the appropriateness of including ''dioxin-like'' chemicals in the risk assessment without individual empirical review of their effects.

Concerns raised by other federal agencies, outside scientists, and EPA's own Science Advisory Board as to the scientific underpinning of the Reassessment, as well as questions of consistency with other international assessments of dioxin and the positions on these taken by other federal agencies, in large part prompted this request. Because of the enormous policy implications of this Reassessment, the Agency in early Fall, 2002, asked for additional time to convene an Interagency Working Group (IWG) so as to review and address many of the toxicological questions that have been raised concerning the dioxin reassessment, including, but not limited to, the scientific evidence used to classify the carcinogenicity of dioxin to humans, the Agency's use of a linear dose-response model to estimate cancer risk levels, the scientific support for the use of the Toxic Equivalency Factors for dioxins, and the use of body burden as the appropriate dose metric.

While the conferees acknowledge the complexity of this issue, it is unclear as to how much progress has been made by the IWG. The conferees note that a year has passed since the Agency was first requested to pursue such a review by the Academy. In light of this fact and so that no further delay of

this important issue occur, the conferees direct that unless the IWG has completed its review and issued a report within 60 days of enactment of the Act, the Agency is to contract with the Academy as quickly as possible thereafter so that the Academy may undertake a review of the Reassessment as originally requested. In issuing this direction, it is not the intention of the conferees to delay the work of the IWG. In addition, upon completion of the review by the NAS, the Agency is expected to move expeditiously to review the Academy's report, make any appropriate changes as necessary in the Reassessment, and issue a final document.

The conferees are aware that EPA is currently working with the Maritime Administration (MARAD) to develop an environmentally acceptable program which will aid MARAD in meeting its statutory mandate to dispose of obsolete vessels of the National Defense Reserve Fleet, and encourage EPA to continue its efforts to find solutions to dispose of these ships so as to eliminate to the greatest extent possible all potential environmental hazards.

OFFICE OF INSPECTOR GENERAL

Appropriates $36,000,000 for the Office of Inspector General instead of $35,325,000 as proposed by the House and $37,325,000 as proposed by the Senate. In addition to amounts appropriated directly to the OIG, $12,742,000 is also available by transfer from funds appropriated for Hazardous Substance Superfund.

The conferees strongly encourage the Inspector General to prepare and submit to the Committees on Appropriations of the House and the Senate at the earliest practical date an audit management plan and the personnel requirements which will best enhance the expertise and maximize the efficiencies of the Office.

BUILDINGS AND FACILITIES

Appropriates $42,918,000 for buildings and facilities as proposed by the House and the Senate.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $1,272,888,000 for hazardous substance superfund as proposed by the Senate instead of $1,422,888,000 as proposed by the House. Bill language provides that $636,444,000 of the appropriated amount is to be derived from the Superfund Trust Fund and a like amount is to be derived from General Revenues of the Treasury. Additional language provides for the transfer of $12,742,000 to the Office of Inspector General, and for the transfer of $86,168,000 to the Science and Technology account.

The conferees have agreed to the following fiscal year 2003 funding levels:

1. $856,900,000 for Superfund response and cleanup activities.
2. $143,600,000 for enforcement activities.
3. $134,600,000 for management and support.
4. $12,742,000 for transfer to the Office of Inspector General.
5. $86,168,000 for research and development activities, to be transferred to the Science and Technology account.
6. $38,826,000 for reimbursable interagency activities, including $28,150,000 for the Department of Justice and $10,676,000 for OSHA, FEMA, NOAA, the United States Coast Guard, and for the Department of the Interior.

The conferees remain concerned that a recent Memorandum of Understanding (MOU) entered into between the EPA and the Nuclear Regulatory Commission (NRC) does not fully address all jurisdictional concerns expressed in past years by the Congress. The Agency is therefore once again directed to negotiate and enter into an amended MOU which fully addresses these remaining issues. The Agency is further directed to report to the Committees on Appropriations by the 28th day of each month on the progress towards completing this direction.

Once again this year, the conferees support the national pilot worker training program which recruits and trains young persons who live near hazardous waste sites or in communities at risk of exposure to contaminated properties for work in the environmental field. The conferees direct EPA to continue funding this effort in cooperation and collaboration with the National Institute of Environmental Health Sciences.

The conferees are aware of the Agency's ongoing program to coordinate the clean-up of vermiculite from certain homes in the Libby, Montana area, and are concerned with reports of both excessive costs and schedule delays associated with the program. The Agency should be aware of the long-standing concerns of the Committees on Appropriations regarding the judicious use of Superfund dollars by the EPA, and the conferees caution the Agency to move forward with this program in a manner which appropriately meets the needs of assistance for individuals in Libby while remaining fiscally responsible and containing costs in light of competing national priorities within the Superfund program.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

Appropriates $72,313,000 for the leaking underground storage tank program as proposed by the House and the Senate.

OIL SPILL RESPONSE

Appropriates $15,581,000 for oil spill response as proposed by the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

Appropriates $3,859,994,000 for state and tribal assistance grants instead of $3,789,185,000 as proposed by the House and $3,920,639,000 as proposed by the Senate. Bill language specifically provides $1,350,000,000 for Clean Water State Revolving Fund (SRF) capitalization grants, of which up to $75,000,000 is to be made available for use by States that choose to make loans, including interest-free loans, that increase non-point and non-structural, decentralized alternatives, thus expanding the choices available to communities in their fight for clean water. The conferees strongly encourage States that can do so to pursue innovative technologies in this regard, but emphasize that this program is voluntary and that States not participating in the program will nevertheless continue to receive their normal level of funding through the established SRF formulas.

Additional bill language provides $850,000,000 for Safe Drinking Water SRF capitalization grants; $50,000,000 for the United States-Mexico Border program; $43,000,000 for grants to address drinking water and wastewater infrastructure needs in rural and native Alaska communities; $3,000,000 for remediation of above ground leaking fuel tanks in Alaska pursuant to Public Law 106–554; $8,225,000 for grants for construction of alternative decentralized wastewater facilities; $90,500,000 for a new Brownfields grant program; $1,150,382,000 for categorical grants to the states and tribes, including $50,000,000 for Brownfields categorical grants and $19,999,900 for the Environmental Information Exchange program; and $314,887,000 for cost-shared grants for construction of water and wastewater treatment facilities and infrastructure and for groundwater protection infrastructure.

The conferees have included bill language which, for fiscal year 2003, authorizes the Administrator of the EPA to use funds appropriated pursuant to the Federal Water Pollution Control Act (FWPCA) to make grants to Indian tribes pursuant to section 319(h) and 518(e) of FWPCA. In addition, bill language has been adopted which, (1) will permit the states to include as principal amounts considered to be the cost of administering SRF loans to eligible borrowers, with certain limitations; (2) permits the Administrator to reserve up to 1½ percent of the funds appropriated for the SRF under title VI of the FWPCA for grants under section 518(c) of that Act; (3) for fiscal year 2003, authorizes the states to transfer funds between the Clean Water and Safe Drinking Water SRF programs; and (4) stipulates that no funds provided in the Act to address water infrastructure needs of colonias within the United States along the United States-Mexico border shall be made available to a county or municipal government unless that governmental entity has established an enforceable ordinance or rule which prevents the development or construction of any additional colonia areas, or the development within an existing colonia of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure.

The conferees have included bill language which makes technical corrections and changes to grants approved in previous fiscal years. Finally, as in previous years, the conferees have included bill language which stipulates that none of the funds provided in this or any previous years' Acts for the Safe Drinking Water SRF may be reserved by the Administrator for health effects studies on drinking water contaminants. The conferees have instead provided significant resources for such studies within EPA's Science and Technology account.

Of the funds provided for the United States-Mexico Border program, $7,000,000 is for continuation of the El Paso, Texas desalination and water supply project, and $2,000,000 is for the Brownsville, Texas water supply project.

The conference agreement provides $8,225,000 for six specific grants under the National Decentralized Wastewater Demonstration program. The program, which has shown tremendous success in developing and transferring technologies which offer alternatives to centralized wastewater treatment facilities, also requires a cost-share whereby each grantee must provide 25% of the project's total cost. The six projects included for funding are located in Lowndes County, Alabama ($575,000); Upper Patuxent River Watershed, Maryland ($1,000,000); West Philadelphia and Rodale Institute Farm, Pennsylvania ($1,700,000); Upper Rio Grande Valley Colonias, Texas ($900,000); Chittenden County, Vermont Integrated Water Resource Project ($3,050,000); and Mud River Watershed, Lincoln County, West Virginia ($1,000,000). As in previous years, these projects were determined by non-governmental, independent analysis based upon their unique and diverse geology and geography, their ability to provide the greatest technological diversity using limited financial resources, and the commitment of each community or regional area to find and fund appropriate alternative technologies to resolve their wastewater treatment needs.

Within the State and Tribal Categorical Grant program, the conference agreement includes:

1. $225,000,000 for air resource assistance grants under sections 103 and 105 of the Clean Air Act, of which $10,000,000 is for the five State/Regional Haze planning organizations;
2. $192,500,000 for section 106 water pollution control grants;
3. $10,000,000 for the Beach Environmental Assessment and Coastal Health Act (BEACH) grant program;

4. $240,000,000 for section 319 non-point source pollution grants;

5. $19,999,900 for the information exchange network grant program; and

6. $15,000,000 for the new targeted watershed grant program.

The conferees have not provided funding for the State Multimedia Enforcement Grant program or for maintenance of the Homestake Mine in Lead, South Dakota.

The conferees agree that $314,887,000 is provided for cost-shared grants to communities or other governmental entities for construction of water and wastewater treatment facilities and infrastructure and for groundwater protection infrastructure. Each such grant shall be accompanied by a cost-share requirement whereby, regardless of the amount provided herein for each grant, 45 percent of a project's cost is to be the responsibility of the community or entity consistent with long-standing guidelines of the Agency. These guidelines also offer flexibility in the application of the cost-share requirement for those few circumstances when meeting the 45 percent requirement is not financially possible. The Agency is commended for its past efforts in working with communities and other entities to resolve problems in this regard, and it is expected that this high level of effort and flexibility will continue throughout fiscal year 2003.

The distribution of funds under this program is as follows:

1. $1,620,000 for Palmer, Alaska for a water main;

2. $450,000 for Wrangell, Alaska for sewer expansion;

3. $900,000 for the Fairbanks City, Alaska sewer and storm drain connection;

4. $450,000 for Kodiak, Alaska for water and sewer upgrades;

5. $1,080,000 for the Anchorage Water and Wastewater Utility for the development of a water and sewer facility in Anchorage, Alaska;

6. $900,000 for Wasilla, Alaska for water and sewer improvements;

7. $180,000 to Attalla, Alabama for sewerage system improvements;

8. $180,000 to Powell, Alabama for sewerage system improvements;

9. $90,000 to Lawrence County, Alabama for the Bankhead Forest Water Project;

10. $90,000 to the Town of Phil Campbell, Alabama for water system improvements;

11. $900,000 to Fort Payne, Alabama for sewerage system improvements;

12. $270,000 to Franklin County, Alabama for water infrastructure improvements;

13. $180,000 to Douglas, Alabama for sewerage system improvements;

14. $180,000 to Marion County, Alabama for water system improvements;

15. $90,000 to the Fayette Water Board, Fayette, Alabama for water security system improvements;

16. $135,000 to the Cullman County Commission, Alabama for the North Cullman County water systems upgrades;

17. $225,000 to the City of Calera, Alabama for water and wastewater infrastructure improvements;

18. $225,000 to the City of Alabaster, Alabama for water and wastewater infrastructure improvements;

19. $1,080,000 to South Alabama Utilities of the town of Citronelle, Alabama for water infrastructure improvements in western Mobile County;

20. $450,000 to the Southwest Alabama Regional Water Authority for water infrastructure improvements;

21. $675,000 to the City of Huntsville, Alabama for water system improvements;

22. $675,000 to the City of Moulton, Alabama for wastewater system improvements;

23. $112,500 to the Town of Woodville, Alabama for wastewater system improvements;

24. $180,000 to the Limestone County, Alabama Water and Sewer Authority for drinking water improvements;

25. $180,000 to the West Morgan-East Lawrence Water Authority, Alabama for drinking water improvements;

26. $247,500 to the Town of Littleville, Alabama for wastewater system improvements;

27. $180,000 to the City of Athens, Alabama for wastewater system improvements;

28. $315,000 to the City of Montgomery, Alabama for wastewater infrastructure improvements;

29. $315,000 to the Coosa Valley Water Authority for water infrastructure improvements in St. Clair County, Alabama;

30. $90,000 for the City of Fulton, Alabama for water system improvements;

31. $585,000 for the City of Jackson, Alabama for water infrastructure;

32. $675,000 for the Mobile County Water, Sewer and Fire Protection Authority, Alabama for water system improvements;

33. $630,000 for the Cities of Daphne, Foley and Fairhope, Alabama for comprehensive water infrastructure assessment;

34. $585,000 for Mobile Area Water and Sewer System and the City of Prichard, Alabama for a combined sewer outflow project;

35. $90,000 for Mt. Vernon, Alabama for water system improvements;

36. $90,000 for Summerdale, Alabama for water infrastructure;

37. $225,000 for the City of Monroeville, Alabama for water system improvements;

38. $450,000 for Sumiton, Alabama for the Sumiton Sanitary Sewer System;

39. $450,000 for Berry, Alabama for the construction of a new sanitary wastewater lagoon system;

40. $450,000 for a water supply project in Guin, Alabama;

41. $405,000 for Talladega, Alabama for county water supply facilities upgrades and construction;

42. $292,500 for the Town of Notasulga, Alabama for the Notasulga Wastewater System;

43. $270,000 for Muscle Shoals, Alabama for a wastewater project;

44. $180,000 for Eva, Alabama for a sewer system project;

45. $585,000 for Autauga County, Alabama for a sewer infrastructure construction project;

46. $450,000 for the Osage Basin Wastewater District, Arkansas for wastewater infrastructure improvements;

47. $225,000 to the Town of Menifee, Arkansas for water and wastewater infrastructure improvements;

48. $450,000 for the City of Fayetteville, Arkansas for regional wastewater system improvements;

49. $225,000 for the Community Water System Public Water Authority of Arkansas in Lonoke and White Counties for the Green Ferry drinking water project;

50. $1,350,000 for the City of Safford, Arizona for wastewater treatment plant construction;

51. $450,000 to the City of Scottsdale, Arizona for the Scottsdale Arsenic Removal pilot project;

52. $900,000 to Huachuca City, Arizona for its effluent recharge project;

53. $225,000 to the City of Goodyear, Arizona for water infrastructure improvements;

54. $450,000 to the Litchfield Park Service Company for construction of the Litchfield Park arsenic treatment facility in Arizona;

55. $675,000 to the Mission Springs Water District in California for groundwater protection and water infrastructure improvements;

56. $675,000 to the City of Murrieta, California for wastewater infrastructure improvements;

57. $900,000 to the City of Newport Beach, California for the Big Canyon Reservoir Cover Project;

58. $630,000 to the Irvine Ranch Water District of Irvine, California for improvement of the San Diego Creek Watershed Natural Treatment System;

59. $630,000 to the City of Laguna Beach, California for wastewater infrastructure improvements;

60. $1,710,000 to the Olivenhain Municipal Water District in Encinitas, California for water infrastructure improvements;

61. $1,800,000 to the Placer Nevada Wastewater Authority for wastewater infrastructure improvements in Placer County, California;

62. $1,350,000 for water infrastructure improvements for the Cities of Arcadia and Sierra Madre, California;

63. $450,000 to the Metropolitan Water District of Southern California for the Desalination Research and Innovation Partnership;

64. $540,000 to Ventura County, California for water and wastewater infrastructure improvements related to the completion and implementation of the Calleguas Creek Watershed Management Plan;

65. $450,000 to the United Water Conservation District of Ventura County, California for the Oxnard Plain Groundwater Recharge project;

66. $225,000 to the County of Ventura, California for wastewater infrastructure needs for El Rio;

67. $315,000 to the City of El Segundo, California for sanitary sewer overflow infrastructure improvements;

68. $450,000 to the City of Redding, California for water and wastewater infrastructure improvements for the Redding Stillwater Industrial Park;

69. $450,000 for stormwater pollution mitigation improvements and infrastructure in Los Angeles County, California;

70. $247,500 for the City of Oceanside, California for infrastructure improvements to the Mission San Luis Rey Waterline;

71. $450,000 to the City of Brisbane, California for wastewater infrastructure improvements;

72. $90,000 for the Mojave Water Agency for design and construction of a pipeline and facilities to supply supplemental water to the Mojave River Middle Basin Transition Zone;

73. $270,000 for the continuation of water infrastructure improvements in Twentynine Palms, California;

74. $225,000 for the Warren Valley Basin Recharge/Reuse project in Yucca Valley, California;

75. $90,000 for the Lower Owens River Project in Inyo County, California;

76. $90,000 for the continuation of water infrastructure improvements in the Yucaipa Valley Water District in Yucaipa, California;

77. $90,000 for the development of a water master plan to serve the water infrastructure needs of the City of Hesperia, California;

78. $90,000 for planning and design of a sewage treatment and water reclamation facility in Apple Valley, California;

79. $45,000 for Basin Water to conduct a national demonstration project for Highly Efficient/Minimum Waste Ion Exchange Treatment of Potable Water Supplies in Southern California;

80. $900,000 to the City of Sacramento, California for the Combined Sewer System Improvement and Rehabilitation project;

81. $675,000 to the City of Compton, California for water infrastructure improvements;

82. $225,000 to the City of Chino Hills, California for stormwater infrastructure improvements for the intersection of Eucalyptus and Peyton Drive;

83. $225,000 to the City of Brea, California for wastewater and stormwater infrastructure improvements;

84. $225,000 to the City of Norwalk, California for drinking water infrastructure construction and improvements for the Norwalk Reservoir Project;

85. $900,000 to the City and County of San Francisco, California for water and wastewater infrastructure improvements for the Hunters Point Naval Shipyard;

86. $450,000 to the City of Ripon, California for water infrastructure improvements to assist in the removal of arsenic from drinking water;

87. $315,000 to Madera County, California Resource Management Agency for wastewater infrastructure improvements in Oakhurst, California;

88. $900,000 to the City of Huntington Beach, California for stormwater and sanitary sewer infrastructure improvements;

89. $225,000 to the City of Garden Grove, California for stormwater infrastructure improvements;

90. $450,000 to the City of Glendale, California working in conjunction with the Utah State University in Logan, Utah, the University of Colorado in Boulder, and UCLA for a research study and pilot treatment plant focused on the removal of chromium 6 from drinking water;

91. $315,000 to the City of Willits, California for wastewater infrastructure improvements and wetlands mitigation;

92. $225,000 to Sonoma County, California for wastewater infrastructure improvements for the Canon Manor community;

93. $225,000 to Marin County, California for wastewater infrastructure improvements for Tomales Bay;

94. $225,000 to the City of Cudahy, California for wastewater and sewer infrastructure improvements;

95. $225,000 to the City of Maywood, California for wastewater and sewer infrastructure improvements;

96. $405,000 to the Tuolumne Utility District in California for the canal optimization study;

97. $450,000 for the City of Whittier, California, for water and sewer infrastructure improvements;

98. $450,000 for the City of Eureka, California, for the Martin Slough Interceptor project;

99. $450,000 for Lake County, California, for the Clear Lake Basin 2000 project;

100. $360,000 for Mountain Village, Colorado for water infrastructure investment;

101. $270,000 for Mountain Village, Colorado for remediation of above-ground storage tanks;

102. $450,000 for the Durango Water Treatment Facility in Durango, Colorado;

103. $1,440,000 for Brownsville District Sewer Development, Colorado for water and wastewater investments;

104. $900,000 to the City of New Britain, Connecticut for water infrastructure improvements;

105. $450,000 to the City of Southington, Connecticut for water infrastructure improvements;

106. $157,500 to the Town of Wolcott, Connecticut for water infrastructure improvements;

107. $157,500 to the Town of New Fairfield, Connecticut for water infrastructure improvements;

108. $675,000 to be shared equally between the towns of Vernon and Bolton, Connecticut to support the Vernon-Bolton Lake Sewer Project System;

109. $900,000 to the District of Columbia Water and Sewer Authority to mitigate combined sewer overflows into the Anacostia and Potomac Rivers;

110. $900,000 for the Town of Bridgeville, Delaware, for wastewater treatment plant improvements;

111. $900,000 for the Town of Harrington, Delaware, for wastewater treatment plant improvements;

112. $450,000 to the City of Tarpon Springs, Florida for wastewater infrastructure improvements;

113. $450,000 to the City of Clearwater, Florida for wastewater and reclaimed water infrastructure improvements;

114. $810,000 to the Taylor County, Florida Water and Sewer District for wastewater infrastructure improvements;

115. $450,000 to Orange County, Florida for wastewater infrastructure improvements;

116. $225,000 to the City of Jacksonville, Florida for wastewater infrastructure improvements;

117. $315,000 to the City of Tampa, Florida for the South Tampa Area Reclaimed Project;

118. $900,000 to the City of Sweetwater, Florida for wastewater and stormwater infrastructure improvements;

119. $1,125,000 to the Solid Waste Authority of Palm Beach County, Florida for pre-construction engineering and design of the Tri-County Biosolids Pelletization Facility serving Palm Beach, Martin, and St. Lucie Counties;

120. $135,000 to the City of South Miami, Florida for drinking water, wastewater, stormwater and sewer infrastructure improvements;

121. $135,000 to the City of Opa-Locka, Florida for drinking water, wastewater, stormwater and sewer infrastructure improvements;

122. $900,000 to the Volusian Water Alliance of Volusian County, Florida for the Regional Aquifer Management Project and water infrastructure improvements;

123. $450,000 for the Sarasota County, Florida Phillippi Creek Septic System Replacement Project;

124. $225,000 to the Escambia County, Florida Utility Authority for its Wastewater Treatment Public/Private Partnership project;

125. $450,000 to DeSoto County, Florida for water and wastewater infrastructure improvements;

126. $225,000 to the Sebring Airport Authority of Florida for water and wastewater infrastructure improvements for a light industrial/commercial business park;

127. $450,000 to the City of Boca Raton, Florida for improvements for the Reverse Osmosis Water Treatment Facility;

128. $450,000 for the City of West Palm Beach, Florida for its wetlands-based water project;

129. $225,000 to the City of Lighthouse Point, Florida for stormwater system upgrades and repairs;

130. $450,000 to the City of Umatilla, Florida for stormwater infrastructure improvements;

131. $7,875,000 to the Southwest Florida Water Management District for continuation of the Tampa Bay Reservoir Project;

132. $810,000 for Lake Seminole, Pinellas County, Florida for water and wastewater infrastructure improvements;

133. $1,125,000 for Eastern Orange and Seminole Counties, Florida, for the Regional Reuse Project;

134. $2,700,000 to the Metropolitan North Georgia Water Planning District, of which $1,800,000 is for the City of Atlanta Nancy Creek project, for water and wastewater infrastructure improvements;

135. $675,000 to the City of Roswell, Georgia for the Big Creek Watershed Demonstration Project;

136. $405,000 to the Liberty County, Georgia Development Authority for water and wastewater infrastructure improvements for the Coastal MegaPark;

137. $675,000 to Gwinnett County, Georgia for water and wastewater infrastructure improvements;

138. $450,000 to continue the Ground Water Chlorination System Replacement and Upgrade Project on Guam;

139. $495,000 for the State of Hawaii Health Department, for cesspool system replacement;

140. $450,000 for the City and County of Honolulu, Hawaii, for wastewater treatment technologies;

141. $450,000 to the City of Ottumwa, Iowa for comined sewer overflow system improvements;

142. $900,000 to the City of Des Moines, Iowa for stormwater and wastewater infrastructure improvements;

143. $450,000 for the City of West Liberty, Iowa, for wastewater treatment improvements;

144. $2,250,000 for the City of Mason City, Iowa, for the Municipal Water System Radium Removal Project;

145. $225,000 to the Bayview Water and Sewer District of Idaho for the Cape Horn Area Clean Water Compliance Project;

146. $900,000 for the Coolin Sewer District in Idaho for a wastewater facility upgrade project;

147. $225,000 for the City of Filer, Idaho for a new drinking water system;

148. $675,000 for the City of Bancroft, Idaho for water system upgrades;

149. $900,000 for the City of Burley, Idaho for improvements to the wastewater treatment system;

150. $450,000 to DuPage County, Illinois for water infrastructure improvements;

151. $450,000 to the Lake County Stormwater Management Commission of Lake County, Illinois for stormwater detention, infrastructure, modeling, design and management activities in the Upper Des Plaines River watershed;

152. $450,000 to the Village of Johnsburg, Illinois for wastewater infrastructure improvements;

153. $450,000 to the Village of Port Byron, Illinois for drinking water improvements;

154. $180,000 to the City of Hamilton, Illinois for water infrastructure improvements;

155. $180,000 to the Dallas Rural Water District, Illinois for water infrastructure improvements in Hancock County, Illinois;

156. $630,000 to the Village of Montgomery, Illinois for removal of lead-based paint from water storage tanks;

157. $234,000 to the Village of Somonauk, Illinois for construction of a water storage tower;

158. $900,000 for the Metropolitan Water Reclamation District of Chicago, Illinois for wastewater infrastructure improvements;

159. $450,000 to the Village of Granville, Illinois for water infrastructure improvements;

160. $450,000 to the Village of Toulon, Illinois for wastewater infrastructure improvements;

161. $225,000 to the Village of LaGrange, Illinois for water infrastructure improvements;

162. $225,000 to the Village of Justice, Illinois for water infrastructure improvements for the Wesley Fields water system;

163. $450,000 to the City of Galena, Illinois to expand and improve wastewater facilities;

164. $225,000 to the City of Flora, Illinois for water infrastructure improvements for the Gateway Regional Water System;

165. $360,000 to the City of Breese, Illinois for water infrastructure improvements;

166. $22,500 to the Village of Patoka, Illinois for water infrastructure improvements;

167. $90,000 to the City of Salem, Illinois for water and wastewater infrastructure improvements;

168. $675,000 to the City of Wilmington, Illinois for wastewater infrastructure improvements;

169. $450,000 for the Holland Regional Water System in Effingham, Illinois for a water treatment facility to improve regional drinking water;

170. $450,000 for the City of Moline, Illinois for drinking water improvements;

171. $450,000 for the City of Georgetown, Illinois for drinking water improvements;

172. $675,000 to the City of Carmel, Indiana for water infrastructure improvements;

173. $90,000 to Madison Township, Indiana for wastewater infrastructure improvements;

174. $148,500 to the Town of Cicero, Indiana for its stormwater infrastructure improvements and pollution prevention project;

175. $225,000 to the Twin Lakes Sewer District in White County, Indiana for wastewater infrastructure improvements;

176. $315,000 to Tell City, Indiana for wastewater infrastructure improvements;

177. $675,000 to the City of Hobart, Indiana for wastewater infrastructure improvements for the Green Acres subdivision;

178. $450,000 for Vigo County, Indiana for the Sugar Creek Township Sanitary Sewer Project;

179. $270,000 to the City of Ottawa, Kansas for water and wastewater infrastructure improvements;

180. $450,000 to Augusta, Kansas for water infrastructure improvements;

181. $450,000 for Latimer, Kansas for a pipeline project;

182. $450,000 to the Franklin County Fiscal Court of Kentucky for the Choateville Sewer Project;

183. $225,000 to the Spencer County, Kentucky Fiscal Court for water infrastructure improvements;

184. $225,000 to the City of Shepherdsville, Kentucky for wastewater infrastructure improvements;

185. $225,000 to the City of Carrollton/Carrollton Utilities of Kentucky for wastewater infrastructure improvements at the Carroll-Gallatin-Owen Regional Wastewater Treatment Plant;

186. $450,000 to the Louisville/Jefferson County Redevelopment Authority for water infrastructure improvements for a technology park in Louisville, Kentucky;

187. $544,500 to the City of Paintsville, Kentucky for wastewater infrastructure improvements;

188. $360,000 to the City of Morehead, Kentucky for wastewater infrastructure improvements;

189. $900,000 to the City of Corbin, Kentucky for wastewater infrastructure improvements;

190. $360,000 to the City of Monticello, Kentucky for wastewater infrastructure improvements;

191. $675,000 to the City of Prestonsburg, Kentucky for wastewater infrastructure improvements;

192. $360,000 to the City of Beattyville, Kentucky for water infrastructure improvements;

193. $900,000 for the City of Clay, Kentucky for wastewater infrastructure improvements;

194. $180,000 to the Marshall County Sanitation District #2 for water and wastewater infrastructure improvements for the City of Draffenville, Kentucky;

195. $180,000 for the City of Bardwell, Kentucky for wastewater infrastructure improvements;

196. $180,000 for the City of Greenville, Kentucky for wastewater infrastructure improvements;

197. $1,665,000 for wastewater infrastructure improvements at the Cynthiana Wastewater Treatment Plant, Kentucky;

198. $585,000 for the City of Sebree, Kentucky for the City of Sebree Sewer project;

199. $450,000 to the Military Department of Louisiana for wastewater infrastructure improvements for the Gillis W. Long Center;

200. $900,000 for the Orleans Parish, Louisiana, sanitary sewer inflow infiltration project;

201. $900,000 to the City of Shreveport, Louisiana for installation of backflow preventers within the water distribution system ($450,000), and for water and wastewater infrastructure improvements associated with programs of the Red River Watershed Management Institute ($450,000);

202. $900,000 to St. John the Baptist Parish, Louisiana for water and wastewater infrastructure improvements;

203. $180,000 to the City of New Iberia, Louisiana for joint water and wastewater infrastructure improvements with Iberia Parish;

204. $180,000 to St. Martin Parish, Louisiana for water and wastewater infrastructure improvements;

205. $225,000 to St. Charles Parish, Louisiana for water and wastewater infrastructure improvements;

206. $225,000 to St. Bernard Parish, Louisiana for water and wastewater infrastructure improvements;

207. $90,000 to St. James Parish, Louisiana for water and wastewater infrastructure improvements coordinated with the Town of Gramercy;

208. $450,000 to the City of Hammond, Louisiana for wastewater infrastructure improvements related to the Lake Pontchartrain Basin project;

209. $225,000 to the City of Slidell, Louisiana for wastewater infrastructure improvements related to the Lake Pontchartrain Basin project;

210. $787,500 for East Baton Rouge Parish, Louisiana, for water and wastewater infrastructure improvements;

211. $787,500 for the City of Lake Charles, Louisiana, for wastewater treatment plant improvements;

212. $787,500 for Jefferson Parish, Louisiana, for sewer infrastructure improvements;

213. $180,000 to the City of Brockton, Massachusetts for wastewater infrastructure improvements;

214. $135,000 for combined sewer overflow mitigation in Lawrence, Massachusetts;

215. $900,000 for Bristol County, Massachusetts, for sewer infrastructure improvements;

216. $810,000 to the Pioneer Valley Planning Commission in West Springfield, Massachusetts, in consultation with the Metropolitan District Commission in Connecticut, for wastewater infrastructure and combined sewer overflow improvements on the Connecticut River in Connecticut and Massachusetts;

217. $450,000 to the Town of Elkton, Maryland for biological nutrient removal upgrades;

218. $450,000 to the Town of Federalsburg, Maryland for biological nutrient removal upgrades;

219. $940,500 for water supply and distribution infrastructure improvements, sanitary sewer collection system modifications, and wastewater and stormwater infrastructure improvements in La Plata, Maryland;

220. $1,125,000 to the City of Rockville, Maryland for its Stormwater Management Improvement Project;

221. $450,000 to the Washington Suburban Sanitary Commission for water infrastructure improvements in Prince George's and Montgomery Counties, Maryland;

222. $3,600,000 for the City of Baltimore, Maryland, for water and wastewater infrastructure improvements;

223. $1,800,000 to the Town of Indian Head, Maryland for sewer and water improvements in Woodland Village;

224. $450,000 for Vinalhaven, Maine for its sewer system;

225. $450,000 for Saco, Maine for its sewer system;

226. $450,000 for Augusta, Maine for its sewer system;

227. $900,000 for Corinna, Maine for its sewer system;

228. $270,000 to the City of Bad Axe, Michigan for water infrastructure improvements;

229. $900,000 for continuation of the Rouge River National Wet Weather Demonstration Project, Michigan;

230. $675,000 to the City of Grand Rapids, Michigan for combined sewer overflow infrastructure improvements;

231. $450,000 to the Genesee County Drain Commission, Michigan for the North-East Relief Sewer and Kearsley Creek Inceptor project;

232. $360,000 to the Detroit Water and Sewer Department, Michigan for water, wastewater and combined sewer overflow infrastructure improvements;

233. $1,350,000 for the Evergreen-Farmington Sanitary Sewer Overflow demonstration project in Oakland County, Michigan;

234. $900,000 to Oakland County, Michigan for water and wastewater infrastructure improvements within the George W. Kuhn Drainage District;

235. $450,000 for the City of Flint, Michigan to upgrade the Pierson Road water main system;

236. $900,000 for the City of Saginaw, Michigan, for sewer infrastructure improvements;

237. $900,000 for the City of Port Huron, Michigan, for sewer infrastructure improvements;

238. $900,000 for Eastern Calhoun County, Michigan, for regional wastewater treatment infrastructure improvements;

239. $1,350,000 to the City of Springfield, Missouri for feasibility studies, design and construction of stormwater infrastructure improvements for the Upper James River;

240. $315,000 to the City of St. Louis, Missouri for water infrastructure improvements for Forest Park;

241. $1,800,000 to the Clean Water Committee of Jefferson County, Missouri for wastewater infrastructure improvements;

242. $315,000 to Caldwell County, Missouri for water infrastructure improvements;

243. $450,000 to the Clarence Cannon Wholesale Water Commission for water infrastructure improvements in Monroe County, Missouri;

244. $450,000 to the City of Lake St. Louis, Missouri for wastewater infrastructure improvements and watershed protection projects in the Peruque Creek watershed and along the St. Charles County Hi-Tech corridor area;

245. $1,530,000 to Kansas City, Missouri for the water component of the Beacon Hill Redevelopment Plan;

246. $450,000 to Dudley, Missouri for the City Water Expansion Project;

247. $1,000,000 for St. Joseph, Missouri for wastewater infrastructure improvements;

248. $405,000 to Bolivar, Missouri for the Bolivar Industrial Park Sewer and Water System;

249. $315,000 to Warrenton, Missouri for the Warrenton Industrial Park Lift Station;

250. $225,000 to Warrensburg, Missouri for the water component of the Warrensburg Downtown Revitalization Project;

251. $1,800,000 to Joplin, Missouri for the Crossroads Relief Sewer #2 and Sewer Extension Project;

252. $1,350,000 to Monett, Missouri for the Monett Sewer Treatment Plant Upgrade;

253. $610,200 to the City of Louisville, Mississippi for water treatment system upgrades;

254. $64,800 to the City of Lake, Mississippi for water infrastructure improvements;

255. $450,000 to the City of Newton, Mississippi for wastewater infrastructure improvements for an industrial park;

256. $270,000 to the City of McComb, Mississippi for wastewater infrastructure improvements;
257. $270,000 to the City of Gulfport, Mississippi for water infrastructure improvements;
258. $495,000 to the City of Corinth, Mississippi for wastewater infrastructure improvements;
259. $450,000 to the City of Tupelo, Mississippi for wastewater infrastructure improvements;
260. $1,800,000 for Flowood, Mississippi for the Hogg Creek Interceptor System;
261. $900,000 for Meridian, Mississippi for wastewater improvements;
262. $900,000 for Jackson, Mississippi for water infrastructure improvements;
263. $900,000 for Fayette, Mississippi for the Jefferson County water and sewer improvements project;
264. $900,000 for the Upper and Lower River Road Water and Sewer District, Montana for wastewater infrastructure improvements;
265. $1,350,000 for the City of Conrad, Montana for a wastewater and drinking water project;
266. $1,350,000 for the City of Belgrade, Montana, for wastewater treatment;
267. $1,350,000 for Missoula, Montana for the Mullan Road Corridor Sewer Project;
268. $180,000 to the Town of Granite Falls, North Carolina for water infrastructure improvements;
269. $270,000 to the Town of Bakersville, North Carolina for water infrastructure improvements;
270. $90,000 to the Town of Drexel, North Carolina for water and wastewater infrastructure improvements;
271. $180,000 to the Town of Spruce Pine, North Carolina for construction of the Cemetery Hill Water Storage Tank;
272. $450,000 to the City of Henderson, North Carolina for the next phase of the rehabilitation and expansion of the water treatment facilities of the Kerr Lake Regional Water System;
273. $900,000 to the City of Concord, North Carolina for the Tri-County Regional Water Project in Cabarrus, Rowan, and Stanly Counties, North Carolina;
274. $225,000 to the County of Granville, North Carolina for water and wastewater infrastructure improvements;
275. $675,000 to Richmond County, North Carolina for water and wastewater infrastructure improvements;
276. $900,000 to the Neuse Regional Water and Sewer Authority in Lenoir County, North Carolina for water infrastructure improvements;
277. $900,000 for Orange County, North Carolina for wastewater infrastructure needs;
278. $360,000 to the Town of Cary, North Carolina for construction of a biosolids dryer facility;
279. $450,000 to the Town of Highlands, North Carolina for water and wastewater infrastructure improvements;
280. $450,000 to the Buncombe County, North Carolina Solid Waste Management Facility for water quality protection infrastructure improvements;
281. $360,000 to the Town of Mooresville, North Carolina for water infrastructure improvements;
282. $450,000 for the Town of Robbins, North Carolina, for water treatment plant improvements;
283. $180,000 for water and sewer improvements in Morgantown, North Carolina;
284. $135,000 for water and sewer improvements in Albermarle, North Carolina;
285. $180,000 for water and sewer improvements in Gastonia, North Carolina;
286. $225,000 for water and sewer improvements in Valdese, North Carolina;
287. $1,800,000 for the City of Park River, North Dakota for the Park River Water System Improvements;
288. $900,000 for the City of Grafton, North Dakota for the Grafton Water Treatment Plant Improvement;
289. $540,000 for Wayne State College of Wayne, Nebraska for the Wayne Community Greywater project;
290. $360,000 to Lincoln, Nebraska for the South Salt Creek Sanitary Sewer project;
291. $450,000 to the City of Omaha, Nebraska for a combined sewer overflow project;
292. $900,000 to the City of Nashua, New Hampshire for water and wastewater infrastructure improvements;
293. $540,000 to the City of Portsmouth, New Hampshire for mitigation of combined sewer overflows;
294. $450,000 to the City of Somersworth, New Hampshire for wastewater infrastructure improvements;
295. $900,000 to the City of Manchester, New Hampshire for water and wastewater infrastructure improvements;
296. $360,000 to the Town of Exeter, New Hampshire for planning and design of a new water treatment plant;
297. $900,000 for the City of Berlin, New Hampshire to assist in construction of water delivery infrastructure;
298. $391,500 to the Borough of New Providence, New Jersey for water and wastewater infrastructure improvements;
299. $900,000 to the Township of Jefferson, New Jersey for wastewater infrastructure improvements to help protect water quality of Lake Hopatcong, New Jersey;
300. $2,250,000 to the Passaic Valley Sewerage Commission in New Jersey for its combined sewage overflow reduction program and the Passaic River/Newark Bay Restoration program;
301. $225,000 for the North Hudson Sewerage Authority in New Jersey for combined sewer overflow improvements;
302. $450,000 for the Township of Vernon, New Jersey, for wastewater improvement;
303. $1,350,000 for the Camden County Municipal Authority, New Jersey, for sewer infrastructure improvements;
304. $900,000 to the City of Ruidoso, New Mexico for wastewater infrastructure improvements;
305. $450,000 to the City of Los Lunas, New Mexico for wastewater infrastructure improvements;
306. $450,000 to the City of Belen, New Mexico for wastewater infrastructure improvements;
307. $180,000 to the Greater Chimayo Mutual Domestic Water Consumers Association in New Mexico for water infrastructure improvements;
308. $180,000 to the City of Bloomfield, New Mexico for wastewater infrastructure improvements;
309. $315,000 to the Town of Bernalillo, New Mexico for wastewater infrastructure improvements;
310. $315,000 to the Village of Los Lunas, New Mexico for wastewater infrastructure improvements;
311. $1,800,000 for South and North Valley of Albuquerque and Bernalillo County, New Mexico, for water and wastewater treatment;
312. $450,000 for the City of Gallup, New Mexico, for wastewater treatment plant improvements and upgrades;
313. $900,000 for the City of Espanola, New Mexico for water and wastewater treatment;
314. $900,000 for Alamogordo, New Mexico for the Alamogordo Regional Desalination Project;
315. $630,000 to the Virgin Valley Water District, Nevada for construction of arsenic treatment facilities for the cities of Mesquite and Bunkerville, Nevada;
316. $796,500 for Washoe County, Nevada for the Spanish Valley Nitrate Remediation Pilot Program;
317. $990,000 for the Carson Water Subconservancy District for final design and construction of a conveyance-tunnel system to transport water from Marlette Lake to the Hobart Drainage for treatment at Carson City, Nevada;
318. $270,000 for the City of Las Vegas, Nevada, sewer replacement project;
319. $900,000 to the City of Little Falls, New York for water infrastructure improvements;
320. $225,000 for the Village of Floyd, New York Water Quality/Quantity Improvement Project;
321. $225,000 to the Village of Whitney Point, New York for wastewater infrastructure improvements;
322. $900,000 to the Village of Walden, New York for wastewater infrastructure improvements;
323. $450,000 the State of New York for the South Shore Estuary Reserve Council of Long Island, New York for stormwater infrastructure improvements;
324. $675,000 to the Town of North Hempstead, New York for stormwater management infrastructure improvements within Manhasset Bay and Hempstead Harbor on the Long Island Sound;
325. $900,000 to the City of Niagara Falls, New York for wastewater infrastructure improvements;
326. $450,000 to the City of Rye, New York for water and wastewater infrastructure improvements;
327. $450,000 for the Lake Neatahwanta Reclamation project in Oswego County, New York;
328. $900,000 to the City of Oswego, New York for combined sewer overflow system improvements;
329. $180,000 to the Village of Sloan, New York for wastewater infrastructure improvements;
330. $450,000 to the Town of Hamburg, New York for sanitary sewer overflow improvements;
331. $900,000 to the City of Buffalo, New York Water Division for water infrastructure improvements;
332. $900,000 to the Monroe County, New York Water Authority for construction of a covered reservoir and security improvements;
333. $900,000 to the Saratoga County Water Committee for water and wastewater infrastructure improvements;
334. $10,800,000 for continued clean water improvements for Onondaga Lake, New York;
335. $1,800,000 to the City of Syracuse, New York for water and wastewater infrastructure improvements;
336. $5,400,000 for drinking water infrastructure needs in the New York City watershed;
337. $3,600,000 for water quality infrastructure improvements for Long Island Sound, New York;
338. $450,000 to the Cortland County Industrial Development Agency in New York for water and wastewater infrastructure improvements to the Cortland County Business Park;
339. $675,000 for the County of Nassau, New York for water quality infrastructure improvements at Nassau County Park facilities;
340. $450,000 for the City of Middletown, New York for the City of Middletown Filtration Plant;
341. $450,000 to the City of Cincinnati, Ohio for water infrastructure improvements;
342. $675,000 to the City of Van Wert, Ohio for the expansion of a drinking water reservoir;
343. $337,500 to the City of Napoleon, Ohio for water infrastructure improvements;

344. $720,000 for water infrastructure upgrades for Northern Perry County Water District, Ohio;

345. $675,000 for water infrastructure upgrades for the Village of Crooksville, Ohio;

346. $180,000 for the Village of Amanda, Ohio for water infrastructure improvements;

347. $450,000 for the Village of Spring Valley, Ohio to upgrade its water treatment and distribution system;

348. $360,000 for Greene County, Ohio for water and wastewater infrastructure improvements;

349. $90,000 for the Pickaway County Sewer District for a regional sewer study in Pickaway County, Ohio;

350. $675,000 to the Northeast Ohio Regional Sewer District for the Doan Brook Watershed Area in Ohio for continued development of a storm water abatement system in the Doan Brook Watershed Area of Ohio;

351. $1,620,000 for the City of Toledo, Ohio for the development of facilities related to its Methane Biogases Capture and Reuse Initiative;

352. $630,000 to the City of Port Clinton, Ohio for a wastewater infrastructure improvements and mitigation of combined sewer overflows;

353. $450,000 to Perry County, Ohio for water infrastructure improvements;

354. $900,000 to the City of Delphos, Ohio for the Tri-County Regional Water System Reservoir Project;

355. $900,000 to the City of North Canton, Ohio for a water treatment project;

356. $900,000 for the City of Massillon, Ohio for wastewater and stormwater infrastructure improvements;

357. $180,000 for the Buckeye Water District Treatment Plant infrastructure improvements in Columbiana County, Ohio;

358. $180,000 to the Village of Morristown, Ohio for wastewater infrastructure improvements;

359. $225,000 to the Village of Hartford, Ohio for wastewater and sanitary sewer infrastructure improvements;

360. $675,000 for the Village of Pomeroy, Ohio for the construction of an iron and manganese removal water treatment plant;

361. $675,000 for the Village of Belmont, Ohio for the construction of a wastewater treatment plant and collection system;

362. $900,000 for the City of Akron, Ohio for sewer infrastructure improvements;

363. $675,000 for Morristown, Ohio for a sanitary sewer collection system;

364. $225,000 to the City of Hulbert, Oklahoma for wastewater infrastructure improvements for the Hulbert Community Health Center;

365. $450,000 to the City of Midwest City, Oklahoma for water infrastructure improvements;

366. $450,000 to the City of Altus, Oklahoma for water infrastructure improvements;

367. $1,350,000 for the City of Norman, Oklahoma for wastewater system improvements;

368. $450,000 to the City of Portland, Oregon for its wet weather pollution control program;

369. $450,000 to the City of Albany, Oregon for the Albany-Millersburg Joint Water project;

370. $270,000 for Tillamook County, Oregon for wastewater infrastructure improvements including construction of an animal waste composting facility;

371. $450,000 to La Pine, Oregon for wastewater infrastructure improvements;

372. $270,000 to the City of North Plains, Oregon for water infrastructure improvements;

373. $495,000 for the City of Hood River, Oregon, for drinking water infrastructure improvements;

374. $225,000 for the Metropolitan Wastewater Management Commission, Eugene and Springfield, Oregon, drinking and wastewater improvements;

375. $540,000 for Gold Hill, Oregon for a water intake relocation project;

376. $2,250,000 for the Three Rivers Wet Weather Demonstration program in Allegheny County, Pennsylvania;

377. $486,000 for wastewater infrastructure improvements for the City of Hermitage, Pennsylvania ($383,850) and the Borough of Sharpsville, Pennsylvania ($102,150);

378. $1,350,000 to Derry Township Municipal Authority in Dauphin County, Pennsylvania for wastewater infrastructure improvements;

379. $450,000 for Pulaski Township, Pennsylvania for wastewater infrastructure improvements;

380. $450,000 to the Wyoming Valley Sanitary Authority of Pennsylvania for combined sewer overflow infrastructure improvements;

381. $387,000 to the Nanty Glow Water Authority of Cambria, Pennsylvania for water infrastructure improvements;

382. $450,000 to the Derry Borough Water Authority in Westmoreland County, Pennsylvania for water infrastructure improvements;

383. $270,000 to the Borough of Wellsboro, Pennsylvania for combined sewer overflow improvements;

384. $450,000 to the City of Franklin, Pennsylvania for combined sewer overflow infrastructure improvements;

385. $450,000 to the City of Lancaster, Pennsylvania for water and wastewater infrastructure improvements;

386. $315,000 to the York City Sewer Authority in Pennsylvania for wastewater infrastructure improvements;

387. $450,000 to Lycoming County, Pennsylvania for water and wastewater infrastructure improvements in the Boroughs of Hughesville and Muncy and at Halls Station;

388. $450,000 to the Department of Susquehanna County Economic Development in Montrose, Pennsylvania for water infrastructure improvements;

389. $315,000 to the Chestnut Ridge Area Joint Municipal Authority for wastewater infrastructure improvements for East St. Clair, West St. Clair, King and Napier Townships and in New Paris Borough, Pennsylvania;

390. $900,000 to the Eastern Snyder County Regional Authority in Pennsylvania to upgrade its wastewater treatment plant, including replacing equipment, improving the treatment system, and installing new technology for nutrient removal, in order to improve the water quality of the Chesapeake Bay;

391. $900,000 for Upper Allen Township, Cumberland County, Pennsylvania to increase sewer treatment capacity by repairing inflow and infiltration problems in older sections of the collection system, divert sewage to a treatment plant, and install new sanitary sewer collection system extensions to replace malfunctioning on-lot disposal systems;

392. $450,000 to the Commonwealth of Puerto Rico Sewer and Water Authority for wastewater infrastructure improvements in the municipality of Arecibo;

393. $450,000 to the City of Woonsocket, Rhode Island for water infrastructure improvements;

394. $2,250,000 to the Narragansett Bay Commission, Rhode Island, in cooperation with other Bay communities, for wastewater and combined sewer overflow infrastructure improvements;

395. $540,000 for the Pawtucket Water Supply Board in Rhode Island for the purchase of the City of Central Falls Water Distribution System;

396. $450,000 for the Town of Coventry, Rhode Island, for drinking water infrastructure improvements;

397. $450,000 to Berkeley County, South Carolina for extension of water lines to Cross Community Schools;

398. $450,000 to the City of Myrtle Beach, South Carolina Downtown Redevelopment Corporation for stormwater infrastructure improvements for the Pavilion Area Master Plan;

399. $450,000 to the City of Florence, South Carolina for continued construction of a regional surface water plant;

400. $225,000 to the Town of Eastover, South Carolina for water infrastructure improvements;

401. $171,000 to the Town of Jackson, South Carolina for removal of radium from the water supply;

402. $198,000 to the City of Walhalla, South Carolina for water infrastructure improvements in Oconee County;

403. $450,000 to Charlotte Mecklenburg Utilities for a phosphorous reduction program in North Carolina and South Carolina;

404. $180,000 to Charleston County, South Carolina for wastewater infrastructure improvements;

405. $900,000 for the Mount Pleasant Waterworks Commission, South Carolina, for the Snowden Community Wastewater Collection Project;

406. $900,000 for the Commission of Public Works of the City of Charleston, South Carolina, for wastewater tunnel replacement;

407. $900,000 for the City of Greenville, South Carolina, for water and sewer infrastructure related to the Greenline-Spartanburg Neighborhood Redevelopment Project;

408. $450,000 to the City of Groton, South Dakota for water and wastewater infrastructure improvements;

409. $450,000 to the City of Elk Point, South Dakota for wastewater infrastructure improvements;

410. $675,000 for the City of Centerville, South Dakota, for drinking water infrastructure improvements;

411. $900,000 for the Sisseton-Wahpeton Sioux Tribe in Agency Village, South Dakota, for the expansion of the Brown Marshall Day Water System;

412. $450,000 for the City of Huron, South Dakota, for drinking water infrastructure improvements;

413. $450,000 for Box Elder, South Dakota, for water and wastewater system improvements;

414. $360,000 for the City of Deadwood, South Dakota, for a drinking water extension project;

415. $315,000 for the Community of Dakota Dunes, South Dakota, for a drinking water infrastructure connection project;

416. $1,350,000 for the City of Lead, South Dakota, for water and wastewater system improvements;

417. $405,000 to the River Road Utility District for water infrastructure improvements in Cheatham County, Tennessee;

418. $351,000 to the City of Cross Plains, Tennessee for wastewater infrastructure improvements;

419. $1,350,000 to the Athens Utilities Board of Tennessee for wastewater infrastructure improvements at the Oostanaula Wastewater Treatment Plant;

420. $450,000 to the City of Lawrenceburg, Tennessee for water and wastewater infrastructure improvements;

421. $90,000 to the Watauga River Regional Water Authority in Carter County, Tennessee for water infrastructure improvements;

422. $1,080,000 to Polk County, Tennessee for water infrastructure improvement for the Linsdale community;

423. $1,350,000 for the City of Franklin, Tennessee for water quality improvements;

424. $900,000 to the City of Eagle Pass, Texas for water and wastewater infrastructure improvements;

425. $900,000 for West Fort Bend County, Texas for water infrastructure improvements;

426. $450,000 to the City of Meridian, Texas for water and wastewater infrastructure improvements for the Meridian/Bosque Regional Water Supply and Treatment Project;

427. $900,000 to the City of Dallas, Texas for water and wastewater infrastructure improvements;

428. $270,000 to the City of Port Arthur, Texas for water infrastructure improvements in the Sabine area;

429. $1,800,000 for San Antonio Water Systems, Texas for water and sewer improvements;

430. $1,350,000 for Nacogdoches, Texas for the development of a water and sewer drainage system;

431. $450,000 to Park City, Utah for water infrastructure improvements at the Park City Judge Tunnel Water Treatment Plant;

432. $450,000 for Tooele City, Utah for water and wastewater infrastructure improvements;

433. $225,000 to Sandy City, Utah for water and stormwater infrastructure improvements;

434. $225,000 for the City of St. George, Utah for water and sewer line extensions;

435. $225,000 for the City of South Salt Lake, Utah for water infrastructure improvements;

436. $2,250,000 for Monticello, Utah for a primary water supply pipeline;

437. $675,000 for Blanding, Utah for water infrastructure improvements;

438. $900,000 to the Town of Dublin, Virginia for water infrastructure improvements;

439. $315,000 to the Town of Orange, Virginia for construction of a raw water storage basin;

440. $900,000 to Dale Service Corporation for water and wastewater infrastructure improvements in Dale City, Virginia;

441. $855,000 to the Fairfax County Water Authority of Virginia for water system infrastructure and security enhancements;

442. $472,500 to Chesterfield County, Virginia for drainage and wastewater infrastructure improvements;

443. $360,000 for Nelson County, Virginia for water and wastewater system installation and improvements;

444. $135,000 for Camp Virginia Jaycee in Blue Ridge, Virginia for a wastewater treatment project;

445. $360,000 to Fluvanna County, Virginia for water and wastewater infrastructure improvements;

446. $315,000 for St. Paul College in Lawrenceville, Virginia for water and wastewater infrastructure improvements;

447. $360,000 for Pittsylvania County and the Town of Gretna, Virginia for water infrastructure improvements;

448. $270,000 for Franklin County, Virginia for a drinking water infrastructure project;

449. $270,000 for Buckingham County, Virginia for water and wastewater infrastructure improvements for Buckingham County and the Town of Dillwyn;

450. $180,000 for Cumberland County, Virginia for water infrastructure improvements;

451. $1,800,000 to the City of Richmond, Virginia ($900,000) and to the City of Lynchburg, Virginia ($900,000) for combined sewer overflow infrastructure improvements;

452. $675,000 to the City of Alexandria, Virginia for the Sanitary and Stormwater Sewer Reconstruction and Extension project to mitigate overflows polluting Four Mile Run Creek;

453. $315,000 to Accomack County, Virginia for wastewater infrastructure improvements;

454. $180,000 to the City of Norfolk, Virginia for wastewater infrastructure improvements at the North Fox Hall and Sewell Garden pump stations;

455. $180,000 to the City of Norfolk, Virginia for wastewater infrastructure improvements in Fairmont Park;

456. $900,000 to Loudoun County, Virginia Department of Building and Development for groundwater monitoring infrastructure of the Water Resources Management Program;

457. $450,000 to the Government of the Virgin Islands for water and wastewater infrastructure improvements;

458. $1,530,000 for the Champlain Water District, Vermont, for Chittenden County stormwater infrastructure improvements;

459. $1,350,000 for the Town of Warren, Vermont, for wastewater treatment facility upgrades;

460. $1,170,000 for the Town of Richmond, Vermont, for wastewater treatment facility upgrades;

461. $810,000 to the City of Shelton, Washington for water and wastewater infrastructure improvements;

462. $99,000 to the Town of South Prairie, Washington for wastewater infrastructure improvements;

463. $450,000 to Parker, Washington for water infrastructure improvements;

464. $450,000 to the City of Roslyn, Washington for wastewater infrastructure improvements;

465. $225,000 to the City of Blaine, Washington for completion of a feasibility study for the Northwest Whatcom County Wastewater Management Plan, Lummis Diversion, and for related updates of the City's general sewer plan;

466. $693,000 for the Mason County Public Utility District, Washington to construct a wastewater and collection facility in Hoodsport, Washington;

467. $225,000 for the Wahkiakum County Public Utility District, Washington for the Puget Island Drinking Water Project;

468. $1,485,000 for the Town of Klickitat, Washington, to construct a new wastewater water treatment facility;

469. $522,000 for the City of Richland, Washington, for wastewater infrastructure improvements;

470. $337,500 for the Village of Curtiss, Wisconsin for the expansion of their wastewater treatment plant;

471. $832,500 for the Town of Mercer, Wisconsin for the extension of their water infrastructure to the new business park;

472. $1,080,000 for the City of Wisconsin Rapids, Wisconsin for the extension of sewer and water to the East Side Business Park and the Village of Biron;

473. $1,800,000 for the City of Milwaukee, Wisconsin for the Central Metropolitan Interceptor Improvement Project;

474. $900,000 for the City of Racine, Wisconsin for the Racine Advanced Water Treatment System;

475. $270,000 for the Putnam County Commission of West Virginia for the Fishers Ridge water infrastructure project;

476. $238,500 to the Midland Public Service District in Randolph County, West Virginia for the extension of waterlines for Haddix Road;

477. $2,445,600 to the City of Weirton, West Virginia for water treatment plant upgrades;

478. $2,250,000 to the City of Moundsville, West Virginia for construction of a water treatment facility;

479. $1,845,000 to the City of Grafton, West Virginia for upgrades to the Berkeley Run Pump Station, Front Street sewer improvements, Fetterman's sewer improvements, Monroe Street sewer improvements, Ross Alley sewer improvements, East Knotts Area sewer improvements, Rochelle Road sewer improvements, Maple Street sewer improvements and Walnut Area sewer improvements;

480. $1,939,500 to the City of Grafton, West Virginia for wastewater treatment plant upgrades;

481. $455,400 to the City of Sistersville, West Virginia for water treatment plant upgrades;

482. $504,000 to the City of Wellsburg, West Virginia for replacement of the 11th Street Wastewater Lift Station; and

483. $571,500 to the Village of Beach Bottom, West Virginia for the extension of water lines, water plant construction and water line replacement.

ADMINISTRATIVE PROVISIONS

The conferees have again this year included an administrative provision giving the Administrator specific authority to, in the absence of an acceptable tribal program, award cooperative agreements to federally recognized Indian Tribes or Intertribal consortia so as to properly carry out EPA's environmental programs.

Also again this year and in order to continue providing sufficient and necessary resources for EPA's pesticide re-registration program, the conferees have included bill language which authorizes for one year the collection by EPA of $21,500,000 in maintenance fees. This provision extends to September 30, 2003 the date upon which such authority for collections expires. Additionally, bill language has again been included which prohibits the use of funds to promulgate a final regulation to implement changes in the payment of pesticide tolerance processing fees as proposed at 64 Federal Register 31040, or any similar proposal; and prohibiting the collection of pesticide registration fees if a new maintenance fee has gone into effect.

Finally, the conference agreement includes bill language as proposed by the Senate requiring the Administrator of the Environmental Protection Agency to 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 non-attainment of new source review (NSR) published in the Federal Register on December 31, 2002.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

Appropriates $5,368,000 as proposed by the Senate instead of $5,750,000 as proposed by the House.

The conferees direct that the progress report on the Administration's interagency global change research program, as included in the Senate report, be submitted to the Committees on Appropriations by May 30, 2003.

The conferees strongly encourage OSTP to address the following critical issues introduced by the Senate: (1) achieving a balanced and appropriately funded Federal research portfolio, particularly as it relates to the physical sciences and engineering disciplines; (2) developing the means to increase the number of U.S. students pursuing undergraduate and advanced degrees in science and engineering and fostering partnerships between federal agencies and universities to meet this goal; (3) addressing the infrastructure needs for an oceans research program; and (4) developing a long-term strategy for developing the nation's semi-conductor manufacturing capabilities.

COUNCIL ON ENVIRONMENTAL QUALITY

AND OFFICE OF ENVIRONMENTAL QUALITY

Appropriates $3,031,000 for the Council on Environmental Quality and Office of Environmental Quality as proposed by the House and the Senate. The conferees have again this year included language proposed by the House and the Senate which authorizes the

Council to operate with one member, that member acting as chairman of the Council.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

Appropriates $30,848,000 for the Office of Inspector General, the same amount as included in both the House and Senate bill. Funds for this account are derived from the Bank Insurance Fund, the Savings and Loan Insurance Fund, and the FSLIC Resolution Fund and are therefore not reflected in either the budget authority or budget outlay totals.

FEDERAL EMERGENCY MANAGEMENT AGENCY

The conferees are in agreement that FEMA is to implement the minority emergency preparedness demonstration program as structured in the fiscal year 2002 appropriations Act. The program is to be funded at not less than $1,500,000. FEMA is directed to provide a report to the Congress, by April 15, 2003, on the implementation of this program.

DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

Appropriates $800,000,000 for disaster relief, instead of $1,820,000,000 as proposed by the House and $842,843,000 as proposed by the Senate. This level of funding is understood to be sufficient to address all anticipated needs when the current unallocated and unobligated balances available to FEMA are considered. The post-disaster hazard mitigation set-aside that is provided to states is reduced from 15 percent to 7.5 percent since the conferees have included a new National Pre-Disaster Mitigation Fund, as proposed in the budget request. The budget request had proposed elimination of this set-aside.

The conferees have included a provision, as proposed by the House, which directs FEMA to provide Public Assistance and Hazard Mitigation grants to the Texas Medical Center as if it were an eligible applicant under the Robert T. Stafford Disaster Relief and Emergency Assistance Acts as amended. The Texas Medical Center is expected to maintain at least the existing level of insurance coverage which was in place at the time of the 2001 floods. The Senate had not addressed this issue.

Retains language included by the both the House and Senate which provides for the transfer of funds to the consolidated grant management program and the Office of Inspector General.

The conferees have added a new proviso which reduces funding for a seismic mitigation project at California State University, San Bernardino, and directs FEMA to use the funding instead to mitigate fire danger due to bark beetle infestation in the area of San Bernardino National Forest.

The conferees urge FEMA to work with Santa Monica College to resolve any outstanding claims resulting from the Northridge earthquake.

NATIONAL PRE-DISASTER MITIGATION FUND

Appropriates $150,000,000 for the National Pre-Disaster Mitigation Fund, instead of $250,000,000 as proposed by the House and $25,000,000 as proposed by the Senate.

The conferees are in agreement that FEMA is directed to provide grants of $250,000 to each of the 50 states and five other recognized entities for planning pre-disaster mitigation projects. The conferees also direct FEMA to work with the State University System of Florida on comprehensive hurricane mitigation research. The conferees are in agreement that FEMA should continue the Disaster Resistant University program and direct FEMA to carry out the direction contained in House Report 107–740.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The conferees agree to provide a limitation on administrative expenses of $557,000 for the disaster assistance direct loan program account. The amount provided is the same as in both the House and the Senate bills.

SALARIES AND EXPENSES

Appropriates $245,690,000 for salaries and expenses instead of $250,690,000 as proposed by the House and $239,690,000 as proposed by the Senate. The conferees are in agreement that the highest priority for FEMA should be to add at least 24 full time equivalents for its Financial and Acquisition Management Division and 27 for the United States Fire Administration.

FEMA is directed to provide $1,750,000 to the Administrative and Resource Planning Directorate for its effort to archive key agency documents by digitization to optical disks, including related activities.

OFFICE OF INSPECTOR GENERAL

Appropriates $14,000,000 for the Office of Inspector General, instead of $11,549,000 as proposed by the House and $17,754,000 as proposed by the Senate.

The conferees direct the FEMA Inspector General to review the Assistance to Firefighters Grants program to assess the extent to which FEMA is implementing the ''maintenance of needs'' requirements under this program. A report is due no later than August 15, 2003.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

Appropriates $388,299,000 for emergency management planning and assistance instead of $367,040,000 as proposed by the House and $1,615,214,000 as proposed by the Senate. The conferees have not included in this account any funding for the Firefighters Assistance Grants program or the administration of the program in this account as proposed by the Senate. Instead, those funds are provided in a new account as proposed by the House.

In addition, the conferees have agreed to provide $2,900,000 by transfer from the disaster relief account for the consolidated emergency management performance grant program.

The conferees have included in the bill a listing of funds for specific programs or activities, including $20,000,000 for Community Emergency Response Teams and $25,000,000 for emergency operations centers. The bill language specifies $165,000,000 for emergency management performance grants (EMPG), an increase of $49,000,000 to the budget request of $116,000,000. The conferees have taken this action because EMPG is the backbone of the nation's emergency management system, builds state and local emergency management capability, is the foundation for first responder activities, and because this important activity has been severely underfunded for many years. Now more than ever, the planning activities carried out in this program are of utmost importance. The conferees believe FEMA should consider an allocation system for these funds that takes into consideration not only population, but also risk and vulnerability assessments.

Also included is $25,000,000 for interoperable communications equipment. The conferees are concerned that despite clearly identified deficiencies, there is still no overall Federal plan for the acquisition of communications equipment. FEMA is directed to provide a comprehensive plan to the Committees on Appropriations of the House and Senate for the acquisition of interoperable communications equipment by April 15, 2003.

The conferees have included $60,000,000 for the 28 existing Urban Search and Rescue Teams (USAR). This is in addition to $32,400,000 appropriated in the fiscal year 2002 Supplemental Appropriations Act. The conferees commend these USAR teams for their commitment as front-line first responders to both natural disasters and terrorist acts. Except for up to five percent of these funds which can be used to support FEMA's administrative costs, the conferees direct all these funds to be used to support the cost of operations, the cost of urban search and rescue equipment (including equipment necessary to operate in an environment contaminated or otherwise affected by a weapon of mass destruction) and the cost of all needed training, including training for responding to an environment contaminated or otherwise affected by a weapon of mass destruction.

The conferees are in agreement that FEMA is directed to continue its partnership with the National Technology Transfer Center at the fiscal year 2000 level to bring technology applications to the local, state, and Federal levels of the emergency management community for the purpose of responding to both natural disasters and terrorist attacks and reducing their impact.

FIREFIGHTER ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

Appropriates $750,000,000 for firefighter assistance grants instead of $450,000,000 as proposed by the House. The Senate had proposed funding of $900,000,000 for this activity as part of the Emergency Management Planning and Assistance account. The conferees have included language which provides for the transfer to salaries and expenses of up to five percent of the funding for purposes of administering the program, and has made the funding available for a two year period of obligation.

The conferees have agreed to establish this new appropriations account for firefighter assistance grants so that there will be no doubt as to the importance of this program and to protect this program from being lost in the morass of the Department of Homeland Security.

Emergency Medical Services (EMS) personnel provide critical services, and are often the first responders in an emergency. As one of the activities permitted under the Fire Act, the conferees encourage FEMA to allow appropriate EMS providers to be considered eligible recipients of fire grant funds.

RADIOLOGICAL AND EMERGENCY PREPAREDNESS

Provides for the receipt and expenditure of fees collected as authorized by Public Law 106–377. Both the House and the Senate included this provision in their respective bills.

CERRO GRANDE FIRE CLAIMS

Appropriates $90,000,000 for Cerro Grande fire claims settlement instead of $100,000,000 as proposed by the Senate. The House had not included funding for this program. The conferees have included bill language which makes up to $5,000,000 of the funds available for administrative purposes. The conferees direct all audit requirements to be complied with as identified in the Senate report. The conferees expect FEMA and the Cerro Grande Fire Claims Office to expedite all claims to bring this effort to closure.

EMERGENCY FOOD AND SHELTER PROGRAM

Appropriates $153,000,000 for the emergency food and shelter program as proposed by both the House and the Senate.

FLOOD MAP MODERNIZATION FUND

Appropriates $150,000,000 for the Flood Map Modernization Fund, instead of $200,000,000 as proposed by the House and $100,000,000 as proposed by the Senate.

The conferees agree that $2,000,000 shall be made available to the New York Department of Environmental Conservation (DEC) for the New York Flood Plain Mapping program and encourage FEMA to integrate the New York DEC into the overall program. The conferees agree that $250,000 shall be made available to

the Canaan Valley Institute for development of flood plain maps. Finally, the conferees agree that $2,000,000 is to be used for the Louisiana pilot project to provide two-foot contour interval mapping.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide up to $32,393,000 for salaries and expenses, $77,666,000 for flood mitigation activities, a limitation of $55,000,000 for operating expenses, $529,380,000 for agents' commissions and taxes, and $40,000,000 for interest on Treasury borrowings. Finally, the conferees agree that up to $20,000,000 may be transferred for expenses under section 1366 of the National Flood Insurance Act. All of the foregoing amounts were the same in both the House and Senate bills.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide for the transfer of up to $20,000,000 from the National Flood Insurance Fund to the National Flood Mitigation Fund as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS

The conferees have included two administrative provisions which address issues related to funds appropriated in response to the terrorist incidents of September 11, 2001.

The conferees have included language as proposed by the House which gives FEMA authority to reimburse the City of New York and the State of New York for costs which are not otherwise eligible under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended. The conferees have deleted a proviso carried by the House which would have limited funds available for this purpose; however, the conferees do not support any additional new appropriations for these costs above amounts already appropriated. The conferees have added a proviso to the House language which directs FEMA to use $90,000,000 of funds previously appropriated to support the long-term medical monitoring of the physical and mental health of emergency services personnel, rescue and recovery personnel, and volunteers exposed to environmental contaminants and psychological trauma in the wake of the terrorist attacks of September 11, 2001 at the World Trade Center in New York City, including $25,000,000 for current and retired New York City firefighters. Activities undertaken are to include clinical examinations and evaluation, and should build upon existing activities for baseline and long-term medical monitoring undertaken with funding appropriated for this purpose in Public Law 107–117 and other funding provided by FEMA for the purpose of baseline medical monitoring of emergency services personnel and rescue and recovery personnel after the events of September 11, 2001, including current and retired New York City firefighters. In carrying out these activities, FEMA shall work with the Centers for Disease Control and Prevention, the National Institute of Occupational Safety and Health, affected labor organizations, and other relevant parties.

The Federal Emergency Management Agency (FEMA) is directed to provide, from the Disaster Relief Fund, for the response to the terrorist attacks of September 11, 2001, up to $1,000,000,000 to establish a captive insurance company or other appropriate insurance mechanism. The insurance will provide the City of New York and its debris removal contractors with coverage for claims arising from debris removal performed after collapse of World Trade Center (WTC) buildings on September 11, 2001, including claims brought by City of New York employees. This liability insurance may not cover those claims arising from the terrorist-related aircraft crashes of September 11, 2001 (liability for which is governed and limited by Section 408 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. §40101)), or any actions or events prior to or including the September 11, 2001 collapse of the WTC buildings. Further, this liability insurance may not cover payments claimed by the City of New York for workers compensation, or disability or retirement benefits. The contribution of the Federal government to this insurance mechanism shall not exceed $1,000,000,000. Obligation of funds under this provision will be contingent on FEMA's prior review and approval of proposed insurance terms, conditions and scope of coverage. The State of New York will report not less than quarterly, beginning on June 30, 2003, to the Committees on Appropriations and FEMA regarding the expenditure of and investment earnings from the funds.

Also included is an administrative provision proposed by the House which specifies that a hospital meeting the standard for occupancy under regulation established by the California Office of Statewide Health Planning and Development shall also have satisfied FEMA's criteria for ''immediate occupancy.''

GENERAL SERVICES ADMINISTRATION

FEDERAL CITIZEN INFORMATION CENTER FUND

Appropriates $11,541,000 as proposed by the House instead of $12,541,000 as proposed by the Senate. The conferees continue to be supportive of the Federal Citizen Information Center (FCIC) mission to be a one-stop provider of Federal information to the public through print, media, telephone, and online. As FCIC responsibilities expand to better serve the public within a newly established GSA organization, the conferees emphasize that the funds appropriated from this account are available solely for FCIC staffing and activities to achieve its core mission as presented to and approved by the Committees on Appropriations of the House and Senate.

INTERAGENCY COUNCIL ON THE HOMELESS

OPERATING EXPENSES

Appropriates $1,500,000 for operating expenses of the Interagency Council on the Homeless as proposed by the Senate, instead of no funds proposed by the House. The conferees have created this new funding account to better coordinate homeless programs pursuant to the McKinney-Vento Homeless Act. In this regard the conferees expect HUD to continue providing administrative support on a reimbursable basis to the Council.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Of the amounts approved by the conferees in this agreement, NASA must limit reprogramming of funds between programs and activities to not more than $500,000 without prior notification to the Committees on Appropriations of the House and Senate. Any activity or program cited in this report shall be construed as the position of the conferees and should not be subject to reductions or reprogramming without prior approval. NASA shall provide outyear implications of all reprogrammings and operating plan changes should the Committees request the information.

The conferees are in agreement with the Senate direction for a report on the risks associated with illegal transfer or theft of sensitive technologies. The conferees are also in agreement with the House direction calling for a comprehensive review of all elements of the Integrated Financial Management Program with a goal of reducing the overall cost and require submission of the report no later than April 15, 2003.

The conferees have received the report of NASA's Research Maximization and Prioritization (ReMAP) task force, which focused on prioritizing scientific research to be conducted on the ISS through NASA's Office of Biological and Physical Research. The conferees agree on the need for a strategy of prioritized research objectives across multiple disciplines, and commend NASA for establishing the ReMAP activity.

However, the conferees have several areas of concern related to the ReMAP process. The conferees are aware that a number of the ReMAP task force members dissented with the conclusions in the final report. Several task force members stated that the ReMAP process did not allow sufficient time or resources to do a proper job of prioritizing research programs. Concern was also expressed by some task force members about a lack of time to review the information reported as ReMAP conclusions. Finally, the conferees also note NASA's acknowledgement that the task force did not address ISS commercialization issues, nor did it consider the research needs of the Office of Earth Science or the Office of Space Science in its prioritization activity.

Therefore, the conferees direct NASA to report to Congress on its plans to establish a process by which prioritization of research conducted on the ISS occurs on a regular basis, rather than as a one-time effort. Furthermore, the conferees encourage that future ISS research prioritization activities address ISS commercialization programs, as well as the needs of the Offices of Space and Earth Science.

HUMAN SPACE FLIGHT

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $6,180,900,000 for human space flight instead of $6,095,900,000 as proposed by the Senate and $6,130,900,000 as proposed by the House. Additionally, the conferees have agreed to a limitation of $35,000 for official reception and representation as proposed by the Senate instead of $24,000 as proposed by the House.

The conferees have included an additional $50,000,000 for expenses related to the investigation into the tragic loss of the space shuttle *Columbia* on February 1, 2003. This funding may also be used to correct identified deficiencies and to defray any other expenses which are a consequence of the accident. The conferees recognize that the cost of the investigation and any other implications of the accident may well exceed the amount provided and will entertain operating plan changes to accommodate necessary adjustments in the funding of the various components of this account.

SCIENCE, AERONAUTICS, AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide $9,207,665,000 for human space flight instead of $9,144,500,000 as proposed by the House and $9,003,000,000 as proposed by the Senate. Additionally, the conferees have agreed to a limitation of $35,000 for official reception and representation as proposed by the Senate instead of $24,000 as proposed by the House.

SPACE SCIENCE

The conferees have agreed to provide an increase of $109,960,000 to the budget request for space science programs.

The conferees agree to the following changes to the budget request:

1. An increase of $95,000,000 for the Pluto-Kuiper Belt mission.

2. An increase of $20,000,000 for the Jupiter Icy Moons Orbiter (JIMO) program.

3. An increase of $1,800,000 for the propulsion testing facility at the University of Alabama, Huntsville.

4. An increase of $450,000 for the Ultralightweight Electroformed Segmented Large Aperture Optics program at Alabama A&M University.

5. An increase of $810,000 for the High Energy Photonics Instrumentation Lab at the University of Alabama, Huntsville.

6. An increase of $3,000,000 for development of a lightweight carrier pallet to support the Hubble Space Telescope program.

7. An increase of $19,000,000 to the Mars program to cover recent cost increases.

8. An increase of $1,800,000 for the Center for Life in Extreme Environments at Montana State University.

9. An increase of $2,250,000 for the Hubble Telescope Project at Marshall University, Bridgeport, West Virginia.

10. An increase of $1,350,000 for the Space Science and Engineering Lab at Montana State University in Bozeman.

11. A decrease of $16,500,000 available due to the cancellation of the Flight Projects building construction project at the Jet Propulsion Lab.

12. A decrease of $10,000,000 to the Nuclear Electric Propulsion program.

13. A decrease of $9,000,000 to the Nuclear Power program.

The conferees are concerned that the recent Small Explorer competition may have unfairly judged the Satellite Test of the Equivalence Principle (STEP) proposal as having too much technology risk when, in fact, as the conferees understand, it was through neglect on the part of NASA that the investigator team did not receive adequate funds as promised to retire this risk. The conferees direct NASA to conduct an impartial and thorough evaluation of the Small Explorer competition and any agreements made prior to the competition to ensure that the STEP proposal was treated in a fair and just manner.

The conferees commend NASA for the continued success of the Hubble Space Telescope and the extraordinary contributions it has made to the advancement of science. The recent success of the Hubble servicing mission has underscored the continued importance of the Hubble Space Telescope (HST). NASA's plan for HST has been to discontinue servicing missions after 2004 in order to create a funding wedge for the next generation space telescope (NGST), the science community's highest priority, and to return HST to earth in 2010. Due to the loss of *Columbia*, the conferees are aware that the current schedule for servicing HST has potentially been delayed and that the additional delay could possibly cause degradation of HST earlier than currently anticipated. The current situation may also require additional funding for HST. The conferees direct the program manager to maintain the current schedule for NGST development and not reduce NGST funds to cover HST shortfalls. The conferees direct NASA to carry out an in-depth study of an additional servicing mission (SM5) in the 2007 timeframe that would study operating HST until the Webb Telescope becomes operational. The study should address the costs of an additional servicing mission and the potential scientific benefits. Further, the conferees direct NASA to study the means for disposing of Hubble following the deployment of the Webb Telescope in the 2010 timeframe. This study should examine the full range of options for disposal of the Hubble including relative costs and mission constraints.

BIOLOGICAL AND PHYSICAL RESEARCH

The conferees have agreed to provide an increase of $26,505,000 to the budget request for biological and physical sciences programs.

The conferees agree to the following changes to the budget request:

1. An increase of $3,600,000 for the Space Radiation program at Loma Linda University Hospital.

2. An increase of $900,000 for Canisius College for multi-user scientific equipment in life sciences.

3. An increase of $900,000 for the Institute for Proteomic and Nanobiotechnology at Northwestern University.

4. An increase of $500,000 for the Center for Research and Training in gravitational biology at North Carolina State University.

5. An increase of $4,500,000 for the National Center of Excellence in Infotonics in Buffalo, New York.

6. An increase of $8,000,000 for procurement of animal and plant habitats for the international space station.

7. An increase of $3,330,000 for Commercial Space Centers.

8. An increase of $6,750,000 for the National Space Biomedical Research Institute.

9. An increase of $900,000 for bone and muscle loss studies at the University of Connecticut Health Center.

10. An increase of $2,250,000 for the Center for Space Sciences at Texas Tech University, Lubbock, Texas.

11. An increase of $1,350,000 for interactive biological crystallization technology development.

12. An increase of $1,350,000 for the Life Sciences Center at the University of Missouri-Columbia.

13. An increase of $900,000 for the Biomedical Engineering Facility at Rutgers University, Piscataway, New Jersey.

14. An increase of $225,000 for bone blood studies related to human space flight at the University of Vermont.

15. An increase of $2,250,000 for the Life Sciences building at Brown University, Providence, Rhode Island.

16. A decrease of $11,200,000 from the Generations program.

EARTH SCIENCE

The conferees have agreed to provide an increase of $90,735,000 to the budget request for earth science programs.

The conferees agree to the following changes to the budget request:

1. An increase of $1,800,000 for the Advanced Tropical Remote Sensing Center of the National Center for Tropical Remote Sensing Applications and Resources at the Rosenstiel School of Marine and Atmospheric Science.

2. An increase of $450,000 for continuation of emerging research that applies remote sensing technologies to forest management practices at the State University of New York, College of Environmental Sciences and Forestry.

3. An increase of $2,250,000 for NASA's Regional Application Center for the Northeast.

4. An increase of $15,500,000 for the Institute for Scientific Research for development and construction of research facilities.

5. An increase of $1,575,000 for on-going activities at the Goddard Institute for Systems, Software, and Technology Research, including UAV and remote sensing technology research.

6. An increase of $585,000 for the Center for Marine Remote Sensing at the University of New Hampshire.

7. An increase of $900,000 for the Clustering and Advanced Visual Environments Initiative.

8. An increase of $5,400,000 for data storage back-up and recovery managed services that supports the Goddard Space Flight Center (GSFC) programs, providing heterogeneous support to existing information systems and scalability to serve future requirements.

9. An increase of $8,000,000 to be transferred to the Air Force Research Laboratory (PE 602204F Aerospace Sensors) to develop dual-use lightweight space radar technology.

10. An increase of $1,350,000 for the United States portion of a joint U.S./Italian satellite development program to remotely observe forest fires.

11. An increase of $1,800,000 for Little River Canyon field school.

12. An increase of $24,750,000 for the EOSDIS Synergy Program, $2,250,000 of which is for University of Washington, Pacific Northwest Regional Collaboratory to develop applications for earth science data.

13. An increase of $15,400,000 for preformulation studies for solar irradiance, total column ozone, and ocean vector winds.

14. An increase of $675,000 for landscape analysis, planning and monitoring at the Intermountain Region Digital Image Archive and Processing Center at Utah State University.

15. An increase of $900,000 for an International Earth Observing System Natural Resource Training Center at the University of Montana.

16. An increase of $1,800,000 for a joint weather and ocean research program at the University of Massachusetts and the University of Alaska.

17. An increase of $1,350,000 for the Bio-MEMS Microtechnology Center at the University of Louisville.

18. An increase of $1,800,000 for the Center for Rapid Environmental Assessment and Terrain Evaluation at the University of New Mexico.

19. An increase of $1,350,000 for the Mid-Atlantic Geospatial Information Consortium at George Mason University.

20. An increase of $450,000 for upgrades to the ADAS satellite tracking facility at Morehead State University.

21. An increase of $2,700,000 for earth science education and remote sensing activities at the University of North Dakota Upper Midwest Aerospace Consortium, Grand Forks, North Dakota.

22. An increase of $1,350,000 for expansion of the earth science hall at the Maryland Science Center, Baltimore, Maryland.

23. A decrease of $3,400,000, available due to the cancellation of the Flight Projects building construction project at the Jet Propulsion Lab.

24. An increase of $2,000,000 for the visitor's center at the Langley Flight Research Center, Langley, Virginia.

AERO-SPACE TECHNOLOGY

The conferees have agreed to provide an increase of $76,120,000 to the budget request for aerospace programs.

The conferees agree to the following changes to the budget request:

1. An increase of $16,000,000 for Intelligent Propulsion for Next Generation Aircraft to build on and leverage the Ultra Efficient Engine Technology and Quiet Aircraft Technology programs.

2. An increase of $2,250,000 for the NASA-Illinois Technology Commercialization Center at DuPage County Research Park.

3. An increase of $270,000 for the Rural Technology Transfer and Commercialization Center of Durant, Oklahoma.

4. An increase of $1,800,000 for the Tulane Institute for Macromolecular Engineering and Science for research in polymers.

5. An increase of $1,350,000 for the Glennan Microsystem Initiative.

6. An increase of $450,000 to be used for continued development of an electric/diesel hybrid engine at Bowling Green University.

7. An increase of $5,400,000 for the HITS multilateration sensor and surveillance server for Airport Surface Detection and Management System.

8. An increase of $1,530,000 for the development of the Dynamic Runway Occupancy Measurement System.

9. An increase of $4,500,000 for Project SOCRATES.

10. An increase of $5,800,000 for continuation of the Space Alliance Technology Outreach Program, including $2,500,000 for business incubators, in Florida and New York.

11. An increase of $900,000 for the Advanced Interactive Discovery Environment engineering research program at Syracuse University.

12. An increase of $4,500,000 for the National Center of Excellence in Infotonics in Rochester, New York.

13. An increase of $1,350,000 for the Virtual Collaboration Center at the North Carolina GigaPop.

14. An increase of $1,800,000 for the Garrett Morgan Commercialization Initiative in Ohio.

15. An increase of $1,150,000 for on-going activities in support of NASA Dryden Flight Research Center's Intelligent Flight Control System (IFCS) research project.

16. An increase of $1,125,000 for ongoing research at Marshall Space Flight Center in the area of advanced and breakthrough solutions for propulsion.

17. An increase of $7,600,000 for hydrogen research being conducted by the Florida State University System.

18. An increase of $4,500,000 to develop the JVIEW modeling and simulation for satellite coverage analysis, ground radars, and air traffic over the United States.

19. An increase of $450,000 for aerospace projects being accomplished by the Montana Aerospace Development Authority.

20. An increase of $720,000 for Middle Tennessee State University for the SATS Aerospace Flight Education Research Initiative.

21. An increase of $2,700,000 for the Advanced Power Systems project.

22. An increase of $4,500,000 for the DP–2 vectored thrust program.

23. An increase of $1,800,000 for the Energy Momentum Wheel project at Goddard Space Flight Center.

24. An increase of $3,600,000 for NASA's Independent Verification and Validation Facility.

25. An increase of $900,000 for the COM Simulation architecture project.

26. An increase of $1,800,000 for equipment for the Computer Forensics Technology Center at Utica College of Syracuse University.

27. An increase of $6,300,000 for the Small Aircraft Transportation System. The conferees are concerned that NASA has not requested sufficient funding to enable the Small Aircraft Transportation System (SATS) program to demonstrate the practical application of the SATS program concept, which offers the promise of extending reliable point-to-point air service to smaller communities and has provided this increase. The additional funding is to be invested through the governance process of the National Consortium for Aviation Mobility (NCAM), exclusively for acceleration of regional service demonstrations that apply those SATS and related technologies ready for implementation, and for automotive technology transfer. The conferees expect NCAM to use these additional funds to accelerate the planning and conduct of SATS regional service demonstrations in states with strong state, community, and transportation service provider participation in the NCAM partnership. This funding for NCAM is in addition to the $11,750,000 proposed by NASA for fiscal year 2003. Further, the conferees expect the SATS service demonstrations to provide the participating communities and their representative organizations with an opportunity to participate in SATS transportation service demonstrations, an analysis of economic impacts and related implications of improved air access to smaller communities, and an explanation of the technologies behind the concept.

28. An increase of $450,000 for Advanced Space Propulsion Material Research and Technology Center at Alabama A&M University.

29. An increase of $900,000 for high temperature nanotechnology research.

30. An increase of $3,000,000 for the Chesapeake Information Based Aeronautics Consortium based in partnership at Morgan State University, Baltimore, Maryland, Bowie State University and the University of Maryland, Eastern Shore.

31. An increase of $2,700,000 for the Stennis Space Center for the development of a visitor's center.

32. An increase of $2,700,000 for the North Alabama Science Center in Huntsville, Alabama for the acquisition, networking, and operation of additional immersive reality science laboratories on behalf of the Alabama Science Center Alliance to assure statewide science education program access by Alabama's K–12 students and teachers.

33. An increase of $2,700,000 for the University of Alabama in Huntsville to augment the UAH Propulsion Test Facility.

34. An increase of $675,000 for the National Institute for Aviation Research for Icing Aviation Safety Research in Kansas.

35. An increase of $4,050,000 for propulsion test complex upgrades and other basic infrastructure upgrades at the Stennis Space Center.

36. An increase of $1,800,000 for the National Technology Transfer Center at Wheeling Jesuit University.

37. An increase of $3,600,000 for development of advanced metallic joining technologies for aerospace applications at the Michoud Space Center.

38. An increase of $4,450,000 for information technology infrastructure improvements at NASA facilities.

39. An increase of $3,150,000 for a Center of Excellence for Aerospace Propulsion Particulate Emissions Reduction at the University of Missouri-Rolla.

40. A decrease of $40,000,000 to the Space Launch Initiative program. The conferees have taken this action without prejudice. The conferees note that the Congress received a budget amendment on November 7, 2002, which restructured the Space Launch Initiative with the goal of developing an Orbital Space Plane with ISS crew return capability by 2010. Fiscal year 2003 funding for the Orbital Space Plane was set at $296,000,000 in the budget amendment. This funding level is not endorsed or denied by the conferees and is therefore subject to change by NASA as it formulates its operating plan for fiscal year 2003. The conferees look forward to working with NASA during the review of the fiscal year 2004 budget request to learn more precisely the elements that comprise the cost estimates NASA has provided in the budget amendment and other documents submitted to the Committees on Appropriations of the House and Senate.

The conferees note that neither House nor Senate bills and reports contained any direction on the rotorcraft technology program because there was no request for funding in the fiscal year 2003 budget submission. However, the conferees are aware of general NASA interest in the program and that the Army may be willing to be more engaged in this effort in the future. Therefore, while the conferees were not able to identify funding to continue the program, NASA is encouraged to look at funding options and present them to the Committees on Appropriations of the House and Senate in an operating plan letter if so desired.

ACADEMIC PROGRAMS

Within the Academic programs portion of this account, the conferees recommend an increase of $59,845,000 to the budget request. The conferees have made the following adjustments to the budget request:

1. An increase of $225,000 for Niagara University for science, engineering and math programs.

2. An increase of $1,080,000 for the NASA Educator Resource Center at South East Missouri State University.

3. An increase of $900,000 for the Carl Sagan Discovery Science Center at the Children's Hospital at Montefiore Medical Center to implement the educational programming for this science learning project.

4. An increase of $2,250,000 for the JASON Foundation.

5. An increase of $3,600,000 for continuation of programs at the American Museum of Natural History.

6. An increase of $900,000 for academic and infrastructure needs at St. Thomas University in Miami, Florida.

7. An increase of $900,000 for the Ohio View Consortium.

8. An increase of $2,700,000 for the Alabama Math, Science, and Technology initiative.

9. An increase of $2,250,000 to the Educational Advancement Alliance to support the Alliance's math, science, and technology enrichment program.

10. An increase of $5,000,000 for the National Space Grant College and Fellowship program.

11. An increase of $450,000 for Science, Engineering, Math and Aerospace Academy programs at Central Arizona College.

12. An increase of $1,800,000 for the Center for Science and Math at the University of Redlands.

13. An increase of $900,000 for the Chabot Space and Science Center for math and science education.

14. An increase of $1,800,000 for the City College of New York to establish a community-based science and technology education facility.

15. An increase of $450,000 for Science, Engineering, Math and Aerospace Academy programs at Livingston College.

16. An increase of $495,000 for the Patriots Technology Training Center in Seat Pleasant, Maryland.

17. An increase of $5,400,000 for the EPSCoR program for a total funding level of $10,000,000, the same as fiscal year 2002.

18. An increase of $720,000 for Science, Engineering, Math, and Aeronautics Academy in Miami, Florida.

19. An increase of $900,000 for the Delaware Aerospace Education Foundation, Kent County, Delaware.

20. An increase of $900,000 for the Monroe Science Center at Wesleyan College, Macon, Georgia.

21. An increase of $900,000 for the Center of Excellence in Telecommunications and Space at Morehouse College, Atlanta, Georgia.

22. An increase of $900,000 for the Henry Crown Space Center at the Museum of Science and Industry, Atlanta, Georgia.

23. An increase of $2,250,000 for non-destructive evaluation studies at Iowa State University, Ames, Iowa.

24. An increase of $675,000 for the Des Moines Science Center, Des Moines, Iowa.

25. An increase of $675,000 for the California Science Center.

26. An increase of $1,800,000 to the South Carolina Association of School Administrators, Columbia, South Carolina for the Blue Ribbon School Reform Project and Interactive Library.

27. An increase of $1,800,000 for the School of Science and Mathematics at the College of Charleston, Charleston, South Carolina.

28. An increase of $3,600,000 for the Mauna Kea Astronomy Education Center at the University of Hawaii, Hilo.

29. An increase of $1,800,000 for the Wisconsin Initiative for Math, Science and Technology Education at the University of Wisconsin, Green Bay.

30. An increase of $3,000,000 for an endowment for science and engineering education at the Mitchell Foundation, Portland, Maine.

31. An increase of $675,000 for minority recruitment in science and engineering at the University of Arkansas, Little Rock.

32. An increase of $900,000 for the Oregon Museum of Science and Industry.

33. An increase of $450,000 for advance research in batteries and fuel cells at Virginia Commonwealth University.

34. An increase of $1,800,000 for the construction of a Gulf of Maine Laboratory at the Gulf of Maine Aquarium Foundation.

35. An increase of $900,000 for the University of North Carolina-Chapel Hill for the Destiny Mobile Science Laboratory.

36. An increase of $450,000 for the development of a rooftop observatory for Widener University in Pennsylvania.

37. An increase of $1,350,000 for infrastructure and research needs at the University of Missouri Center for Gender Physiology.

38. An increase of $1,800,000 for the North Rockies Center for Space Privatization and Microgravity Research at the University of Montana-Missoula.

39. An increase of $500,000 for science and information technology programs at West Liberty State College in West Virginia.

OFFICE OF INSPECTOR GENERAL

The conferees agree to appropriate $25,600,000 for the Office of Inspector General instead of $24,600,000 as proposed by the House and $26,600,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

The conferees agree to include three administrative provisions which have been included in prior appropriations acts.

The House included an administrative provision that would have precluded expenditures for implementation of a non-governmental organization for International Space Station (ISS) research before December 31, 2003. The Senate was silent on this issue.

The conferees believe strongly that a sound management approach for ISS research is critical to ensuring that scientific benefit is maximized. The investment of scarce taxpayer funds in the development of the ISS has been too great to leave management of ISS research to a ''business as usual'' approach. For this reason, legislative prohibitions against establishment of an NGO were included in the fiscal year 2001 and fiscal year 2002 appropriations acts, as the Committees on Appropriations have awaited submission of a comprehensive plan by NASA.

The Congress has recently received the Report of NASA's ISS Utilization Management Concept Development Study. The plan outlines 10 business models and, based on objective criteria, recommends an institute be adopted as the preferred management approach. Furthermore, the plan outlines a phased approach that would initially focus on leadership and advocacy functions and would defer a decision on the possible inclusion of engineering and integration functions.

The conferees endorse Phase 1 (inclusion of leadership and advocacy functions), which is similar to what has been so successfully demonstrated in the Hubble Space Telescope Institute (HSTI) model. The conferees wish to point out, however, that management of research for the ISS is much more complex than that of the HSTI, and acknowledge NASA's recognition of this intricacy, demonstrated through its proposal of a phased approach.

In order to ensure the chances for successful implementation of this very complicated process, the conferees have included an administrative provision that limits any proposed contractual action to that of leadership and advocacy.

The conferees direct NASA to report on the status of NGO implementation as well as means of determining research priorities. The first report is due March 15, 2003.

The conferees have not included an administrative provision proposed by the Senate which would have prohibited the use of any funds for the purchase of items proposed for acquisition in RFP5–55151–GCE.

The conferees have included a new administrative provision which gives NASA authority to establish a working capital fund. The House had proposed establishment of this fund in title IV, general provisions.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

The conferees have held the cap on the Central Liquidity Facility (CLF) lending activities from borrowed funds at $1,500,000,000 as proposed by the House and Senate.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

The conferees have provided $1,000,000 to the Community Development Revolving Loan Fund (CDRLF) as proposed by both the House and Senate. Within this amount, $300,000 is provided to augment funds available for technical assistance grants for fiscal year 2003.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

Appropriates $4,083,000,000 for research and related activities instead of $4,150,000,000 as proposed by the House and $4,081,650,000 as proposed by the Senate. The conferees have included bill language which provides up to $320,000,000 for polar research and operations support and $85,000,000 for a comprehensive research initiative on plant genomes for economically significant crops.

The conference agreement provides $4,083,000,000 for ongoing and new research priorities of the Foundation, an increase of nearly $500,000,000 above the fiscal year 2002 level. In allocating this increased funding to the directorates, NSF is expected to give a high priority to increasing research opportunities for investigator initiated research in the core scientific disciplines. In addition, NSF is urged to use the growth in its resources to make a marked and substantial increase in the average award, as well as increase the number of awards being made with a particular effort to include those individuals and institutions not well represented in the Nation's research enterprise. The specific funding level for each of NSF's research activities is as follows:

1. $574,886,000 for Biological Sciences. Of this amount, $85,000,000 has been provided for plant genome research on economically significant crops, including an initiative which pursues the sequencing of one or more economically important crops. The conferees expect that NSF will complete such sequencing of at least one of these crops by 2004. In addition, $26,000,000, the budget request, is provided for Biocomplexity in the Environment research.

2. $582,235,000 for Computer and Information Science and Engineering. Up to $12,500,000 of the appropriated level may be used for operational support of the two terascale facilities. In addition, the conferees expect NSF to provide adequate resources for information technology research, including cyber security research for individual investigators and multi-disciplinary research centers, as well as for advanced broadband research as outlined in Senate Report 107–222.

3. $534,057,000 for Engineering.

4. $689,211,000 for Geosciences. The Foundation is expected to provide adequate funding to augment support for the national user facilities within this directorate as well as to move forward on the integrated ocean drilling program.

5. $1,041,165,000 for Mathematical and Physical Sciences. Of this amount, $179,617,000 is for Mathematics programs and not less than $222,169,000 is for Physical Science programs. The conferees further agree that adequate resources be provided in support of the National High Magnetic Field Laboratory, the Cyclotron and Synchrotron Radiation Facilities, and other such important research facilities. The Foundation is directed to provide, by August 31, 2003, a report which documents what has been accomplished as a result of the growth in mathematics research funding.

For Astronomical Sciences within the MPS Directorate, $4,000,000 is provided for the Telescope Systems Instrumentation Program (TSIP), $6,000,000 is for the National Radio Astronomy Observatory program, $4,200,000 is for the National Optical Astronomy Observatories, and $2,000,000 is for the National Optical Astronomy and Ionosphere Center. In addition, the conferees agree that NSF should provide adequate support for preparatory work for the Giant Segmented Mirror Telescope (GSMT).

6. $192,309,000 for Social Behavioral and Economic Sciences. Of this amount, $6,000,000 is for the Children's Research Initiative.

7. $252,330,000 for U.S. Polar Research Programs. The conferees agree that OPP should report at the earliest practicable time on the necessary work and costs associated with the repair, upgrading, and replacement of NSF's research and support facilities in Antarctica. Upon completion of this report, funds available through this and other appropriations may be used for planning, design, pre-construction, and construction activities as identified in the report. In addition, the conferees agree that with the funds provided, OPP may execute necessary contractual arrangements in preparation for the Foundation's plan for mechanical traverse between McMurdo Station and Amundson-Scott South Pole Station.

8. $69,003,000 for U.S. Antarctic Logistical Support Activities.

9. $147,804,000 for Integrative Activities, including $84,000,000 for Major Research Instrumentation (MRI) and $5,000,000 for the Innovation Partnership Program (IPP). To the extent possible, NSF should utilize funds in excess of the budget request to support the merit-based instrumentation and infrastructure needs of developing, HBCU, and other minority-serving colleges and universities. With this regard to the IPP, NSF is directed to support competitive, merit-based partnerships, consisting of States, local and regional entities, industry, academic institutions, and other related organizations for innovation-focused local and regional technology development strategies.

Within amounts made available in this account, the conferees expect the NSF to provide up to $750,000 in support of the National Academy of Sciences' work to develop a process for prioritizing projects funded through the Major Research Equipment and Facilities Construction account.

The conferees are aware that there has been confusion in recent years regarding the Smithsonian Institution's eligibility to compete for grants at the National Science Foundation. This problem was recently identified as a significant issue in the National Academy of Public Administration's review of Smithsonian science programs released in October 2002. The conferees are concerned

that this confusion has persisted despite recent internal NSF policy directives clarifying that the Smithsonian is fully eligible to compete for National Science Foundation grants. The conferees strongly urge the Director of the National Science Foundation to make sure that Smithsonian grant applications are welcomed by all programs at the Foundation and given fair consideration with all other applications based on the merits of the proposals.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

Appropriates $149,510,000 for major research equipment and facilities construction instead of $159,510,000 as proposed by the House and $59,280,000 as proposed by the Senate. Included within the appropriated amount is $9,720,000 for the Large Hadron Collider; $13,560,000 for the George E. Brown, Jr. Network for Earthquake Engineering Simulation; $25,530,000 to complete development of the High-Performance Instrumented Airborne Platform for Environmental Research (HIAPER); $10,000,000 for support of the Terascale Computing System and the Distributed Terascale Facility; $24,700,000 for continued research and development of the IceCube Neutrino Detector Observatory in Antarctica; $30,000,000 for construction of the Atacama Large Millimeter Array (ALMA) aperture-synthesis radio telescope; $6,000,000 for construction costs associated with expansion of new facilities at the Amundson-Scott South Pole Station; and $30,000,000 for initial costs associated with the new Earthscope project.

The conferees have, without prejudice, not funded the National Ecological Observatory Network (NEON) project in fiscal year 2003.

The conferees direct the Foundation to include in its fiscal year 2003 Operating Plan a report detailing approved budgeted and actual expenditure information on each research facility and equipment funded through this account.

EDUCATION AND HUMAN RESOURCES

Appropriates $909,080,000 for education and human resources instead of $910,580,000 as proposed by the House and $932,730,000 as proposed by the Senate. The conferees agree to the following funding levels within this account:

1. $127,500,000 for the Math and Science Partnership program. The Foundation is strongly urged to provide regular, detailed information to the Committees on Appropriations regarding the planning and execution of this initiative.

2. $40,250,000 for Educational System Reform.

3. $90,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR) program.

4. $177,440,000 for Elementary, Secondary and Informal Education. Within this level of funding, $61,000,000 has been provided for the Informal Science program, an increase of $6,000,000 above the budget request.

5. $160,600,000 for Undergraduate Education. Of the amount appropriated herein, $43,160,000 has been provided for the Advanced Technological Education (ATE) program, $22,000,000 is for the STEM Talent Expansion Program (STEP), and $7,000,000 is for the Robert Noyce Scholarship Program. These funding levels represent increases above the budget submission of $5,000,000, $20,000,000 and $3,000,000, respectively.

6. $140,880,000 for Graduate Education. The conferees have provided an increase of $12,500,000 above the budget request to increase graduate level stipends for the research and teaching fellowship programs and the trainee program administered by the Foundation through its Graduate Education program. The conferees support increasing the graduate stipend level to $27,500 during fiscal year 2003 as the first of what is expected to be a two-year process to reach a stipend level of $30,000.

7. $105,210,000 for Human Resource Development. Within this funding level, $31,530,000 is provided for the Louis Stokes Alliances for Minority Participation (LSAMP) program, an increase of $5,000,000 above the budget request. In addition, $18,900,000, an increase of $5,000,000 above the request, has been provided for the Historically Black Colleges and Universities Undergraduates Program (HBCU–UP).

The conference agreement additionally provides for an increase of $5,000,000 for the HBCU Research University Science and Technology (THRUST) initiative within the Centers of Research Excellence in Science and Technology (CREST) program. While the conferees agree that eligibility for THRUST should not exclude CREST recipients, NSF is directed to first use fiscal year 2003 program funds to fully fund multi-year awards to recipients of THRUST awards in the program's first year.

8. $67,200,000 for Research, Evaluation and Communication.

SALARIES AND EXPENSES

Appropriates $190,352,000 for salaries and expenses instead of $193,852,000 as proposed by the House and $182,160,000 as proposed by the Senate. The conference agreement will permit the employment of an additional 25 full time equivalent personnel for a total workforce of 1175, and will provide an increase of $15,000,000 above the fiscal year 2002 level for General Operating Expenses.

The conferees are strongly supportive of the National Science Foundation and committed to its mission of providing national leadership and federal financial support of research as the basis for scientific and social advancement for the nation and for the entire world. This commitment is reflected in the substantial increase provided in this Act for the NSF for fiscal year 2003.

As Congress, the executive branch and the American people begin to consider a multi-year build-up of financial support for the NSF, however, the conferees also believe that a review of the agency's organizational, programmatic and personnel structures is appropriate and can provide assurance to the public that the agency is positioned to maximize the opportunities which increased funding can create. The conferees have allocated $1,000,000 within the Agency's ''Salaries and Expenses'' appropriation for a contract with the National Academy of Public Administration (NAPA) to conduct such a study. The conferees expect this contract to be awarded within 60 days of approval of this measure.

Without prejudicing the outcome of this NAPA review, the conferees are concerned about the following issues:

Organizational and program structure. Over the last decade the NSF has evolved into a very complex and multi-layered system of directorates, sub-directorates and programs each with its own leadership and budget. This organizational structure is then managed and evaluated against a system of goals which were established under the Government Performance and Results Act as well as a set of six cross-cutting priority areas which change from year to year. All programs are required to justify themselves according to how they serve both the goals and the priorities. Assets flow and personnel are evaluated based on such evaluations even though not every program clearly is designed to serve every goal and every priority. There is concern that this system, each aspect of which may have been created with the best of intentions, may have become overly bureaucratic. Some observers have characterized this current structure as both Byzantine and balkanized. This reflects a concern that the system is broken up into large numbers of parts which may channel significant portions of research funding into narrow areas making it difficult for researchers to follow broader interdisciplinary projects or innovative research areas not yet reflected in NSF's view of scientific opportunity. Because recent NSF budget requests have heavily favored the agency's own priority areas at the expense of research in core disciplines, investigators often feel compelled to apply for support in certain areas because of a sense that proposals which do not fit into NSF's priorities are significantly disadvantaged. The conferees believe that a thoughtful review should ask whether the current NSF organization and management structure and its goal and priority systems should be simplified or changed.

The balance between field driven and NSF driven science priority setting. Second, but clearly related, the conferees believe that this review should consider whether the NSF's approach to its stewardship mission creates the proper balance between necessary and appropriate levels of agency leadership of NSF sponsored science and the need to ensure that this research remains principally investigator initiated work. A corollary question is whether the structure of NSF and management control of its priority setting methodologies have negatively influenced the balance between NSF initiatives and appropriate resource allocations for core science investments.

The underlying principle around which NSF was founded and which the conferees believe is still the pedestal upon which the success of America's taxpayer supported research rests is that both the choice of research priorities and the choice of individual projects should flow principally from practicing scientists in the field as expressed through organized systems of advice and through external peer review. The conferees believe that it is appropriate to review whether the balance of power in setting research priorities is the appropriate one or whether NSF has become too directive in managing its research portfolios.

Role of the National Science Board. The NSF is unique in entrusting both advisory and executive authority for the agency in an ''independent'' board appointed by the president. Recent Congressional action has highlighted, however, the concerns about the relationship between the Board and the agency and its Director and in particular the issue as to how independent the Board is able to operate given its dependence on the Agency for financial support and personnel. The conferees request that the organizational review of NSF here directed include an analysis of the extent to which the Board has fulfilled its original purpose and a review of the role and the structure of the Board in the future.

Personnel policies. The NSF has chosen over the years to rely significantly on contractual and on temporary personnel assigned to the agency under the IPA system to manage its science programs including its grant selection processes. Almost one-tenth of the over 1000 staff of the agency are university based researchers detailed to NSF under the Intergovernmental Personal Act (so-called IPA's) and over 200 are contractors. The assignment of non-permanent personnel to management positions now includes the heads of its science directorates. The advantage of this system is a continuous flow of individuals from the field who are current in their science. The disadvantage, however, is a cadre of agency personnel, including some of its most senior staff, who have less experience and could have split loyalties between their federal roles and their past or future

employment base. The conferees believe a thoughtful review of the agency's structure should include an evaluation of the use of temporary staff and term appointments, especially to the extent this involves the heads of the science directorates.

In laying out these particular concerns, the conferees do not mean this to be an exclusive list. The review by NAPA should be carried out by very senior and thoughtful persons who should feel free to analyze any other factors which the group believes are central to the question of determining what organizational, programmatic and personnel systems will facilitate the most effective partnership between the National Science Foundation and the scientific community for the benefit of the nation.

OFFICE OF THE NATIONAL SCIENCE BOARD

Appropriates $3,500,000 for the National Science Board as proposed by the Senate. The House had included these NSB operational funds within the Salaries and Expenses account as has been the practice in past years. A representational allowance of $9,000 has been provided for the Board.

Recently approved legislation authorized a separate funding stream for the Board, and the conferees have responded by creating this new appropriations account. The amount provided is expected to be sufficient for all costs associated with NSB personnel payroll and benefits as well as other appropriate expenses. The conferees acknowledge this action is intended to provide a measure of independence between the Board and the Foundation, but nevertheless expect NSF to continue to provide accounting, logistics, and other necessary measures in support of the Board and its mission. The conferees request that budget justification materials in support of the National Science Board's fiscal year 2004 funding requirements be submitted to the Committees on Appropriations within 30 days of enactment of this measure.

OFFICE OF INSPECTOR GENERAL

Appropriates $9,250,000 for the Office of Inspector General instead of $9,000,000 as proposed by the House and $9,660,000 as proposed by the Senate.

NEIGHBORHOOD REINVESTMENT CORPORATION

PAYMENT TO THE NEIGHBORHOOD REINVESTMENT CORPORATION

The conferees agree to provide $105,000,000 for the Neighborhood Reinvestment Corporation as proposed by the House instead of $110,000,000 as proposed by the Senate.

Language is included in the bill which designates $5,000,000 to support the Corporation's section 8 homeownership program, as proposed by the Senate. The House had proposed a set-aside for this purpose of $10,000,000. The conferees have further agreed to designate $5,000,000 to support additional mixed-income affordable rental developments.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriates $26,480,000 for salaries and expenses as proposed by both the House and the Senate.

TITLE IV—GENERAL PROVISIONS

The conference agreement includes the following dispositions of General Provisions:

Retains fifteen administrative provisions proposed by both the House and the Senate, all of which were included in the fiscal year 2002 Act.

Deletes language proposed by the Senate limiting travel expenses.

Deletes language proposed by the Senate requiring approval for the Department of Veterans Affairs to enter into leases of real property with an estimated cost of over $300,000. The conferees included an identical provision in title I, as proposed by the House.

Retains language proposed by the House prohibiting transfers to any department, agency or instrumentality of the United States Government established after the date of enactment of this Act except as provided in a future appropriations Act.

Retains language proposed by the House amending the Stafford Act by reducing to 7.5 percent the set-aside for hazard mitigation grants.

Deletes language proposed by the House amending the Consumer Product Safety Act.

Deletes language in this title proposed by the House establishing a working capital fund for NASA and instead includes a similar provision under title III, NASA administrative provisions.

Modifies language proposed by the House granting NASA enhanced-use lease authority by adding new conditions.

Deletes language proposed by the House granting NASA authority to convey utility systems to a municipal, private, regional, district, or cooperative utility company or other qualified entity.

Deletes language proposed by the House extending buyout authority in NASA.

Retains language proposed by both the House and Senate reducing FEMA's State cost share requirements for construction of emergency operations centers from 50 percent to 25 percent.

Deletes language proposed by the Senate allowing the Department of Housing and Urban Development and the Selective Service System to purchase uniforms, passenger motor vehicles, and services as authorized by law. The conferees included identical language under the respective appropriating paragraphs for each agency as proposed by the House.

Retains language proposed by the Senate prohibiting the procurement of automobiles rated less than 22 miles per gallon.

Retains language proposed by the Senate amending the Federal Fire Prevention and Control Act of 1974 by recognizing Alaska Village Initiatives as an eligible grantee for assistance.

Retains language proposed by the Senate authorizing the Secretary of the Department of Homeland Security to acquire 178.5 acres in Clarke and Loudoun Counties, Virginia.

Deletes language proposed by the Senate directing a long-term health study of emergency service personnel. The conferees have instead included a similar provision as an administrative provision under FEMA.

Deletes language proposed by the Senate amending permanent law to expand eligibility for Federal housing assistance to certain groups of aliens. The conferees direct the Department to work with the Department of Justice to develop any necessary technical corrections to applicable housing statutes with respect to qualified aliens who are the victims of domestic violence and Cuban and Haitian immigrants to ensure that such statutes are consistent with the Personal Responsibility and Work Opportunity Act of 1996 and the Illegal Immigration Reform and Personal Responsibility Act of 1996.

A provision was included in the Senate bill under Division I, Transportation and Related Agencies, directing EPA to contract with the National Academy of Sciences. The conferees have included an identical provision as an administrative provision under EPA.

Includes new language amending title 31 of the United States Code regarding passenger carrier use by the NASA Administrator.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2002	$123,820,208
Budget estimates of new (obligational) authority, fiscal year 2003	124,979,700
House bill, fiscal year 2003	122,596,881
Senate bill, fiscal year 2003	121,925,545
Conference agreement, fiscal year 2003	121,927,337
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2002	−1,892,871
Budget estimates of new (obligational) authority, fiscal year 2003	−3,052,363
House bill, fiscal year 2003	−669,544
Senate bill, fiscal year 2003	+1,792

DIVISION L—HOMELAND SECURITY ACT OF 2002 AMENDMENTS

In implementing this agreement, the departments and agencies affected in this division shall comply with the language and instructions set forth in the Senate explanatory statement as delineated in the CONGRESSIONAL RECORD of January 15, 2003, page S838, that are not otherwise contradicted by the committee of conference.

The conference agreement includes section 101, as proposed by the Senate, that modifies section 308 and subsection 835(d) of the Homeland Security Act, respectively, by (1) expanding the discretion of the Homeland Security Secretary in his application of listed criteria, and authorizing him to consider additional criteria beyond those specified in the section when designating any of the nation's colleges or universities as a college- or university-based center for homeland security that shall conduct extramural research; and (2) limiting the authority of the Homeland Security Secretary to waive the prohibition on entering into contracts with corporate expatriates by restricting the waiver authority only to contracts for which the Secretary determines that the waiver is required in the interest of homeland security. The House bill contained no similar provision.

The conference agreement expands the discretion of the Secretary of the Department of Homeland Security in his application of the listed criteria when designating any of the nation's colleges or universities as a college- or university-based center for homeland security. Such a center is part of the Secretary's broad authority to conduct extramural research under grants, cooperative agreements and contracts. Designating a center or centers is just one way in which the Secretary's authority can be used.

The conference agreement includes section 102, as proposed by the Senate, which repeals sections 1714 through 1717 of the Homeland Security Act as if such sections never were effective and replaces these sections with alternative language regarding the application of the Public Health Service Act and a rule of construction with respect to prior law and to Leroy v. Secretary of Health and Human Services, Office of Special Master, No. 02–392V (October 11, 2002). No legal inference regarding existing law prior to or after the enactment and repeal of these sections shall be drawn by the courts from the enactment and subsequent repeal of these provisions. The

repeal leaves unaffected pre-existing case law, such as Leroy v. Secretary of Health and Human Services. The conference agreement modifies a Sense of the Senate provision to a Sense of the Congress that the Senate Committee on Health, Education, Labor, and Pensions and the House Committee on Energy and Commerce should report legislation within six months to protect the public health and the nation's ability to produce existing vaccines and develop new vaccines. The House bill contained no similar provision.

The conference agreement includes section 103, as proposed by the Senate, which modifies sections 232(f), 234(b), 873(b), and 1511(e)(2) of the Homeland Security Act. These modifications would, respectively: ensure that transfers of funds, personnel, and assets within and from the Department of Justice are governed by the procedures established in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002; permit the Coast Guard to use pre-existing authority to accept gifts and donations of services; and permit the Coast Guard to continue to receive funds from the aquatic resources trust fund of the highway trust fund for boating safety programs. The House bill contained no similar provision.

In addition, the conferees have agreed to include in section 103, as proposed by the Senate, a provision adding a new section 1714 to the Homeland Security Act that requires that any report or notification to, or consultation with, the Congress or any Congressional committee required by the Homeland Security Act, and addressing directly or indirectly the use of appropriated funds, also be submitted to or held with the Committees on Appropriations of the Senate and the House of Representatives. The House bill contained no similar provision.

The conference agreement replaces a provision (section 104) proposed by the Senate relating to certain waivers of contracts with corporate expatriates. The substitute provision makes changes to the Homeland Security Act of 2002 (Public Law 107–296) and the Inspector General Act of 1978 (Public Law 95–452) relating to the Inspector General of the Department of Homeland Security. The House bill contained no similar provision.

The conference agreement includes a provision (section 105) relating to the transfer of the Attorney General's authorities under the Immigration and Nationality Act to the Secretary of Homeland Security.

The conference agreement includes a savings provision (section 106), as proposed by the Senate, relating to pending or completed administrative actions, any proceeding, and pending civil actions with respect to the transfer mandated by the Homeland Security Act of the Bureau of Alcohol, Tobacco, and Firearms to the Department of Justice from the Department of the Treasury. The House bill contained no similar provision.

The conference agreement includes a provision (section 107), as proposed by the Senate, which repeals section 457 of the Homeland Security Act, including the amendment made by that section, relating to the costs and funding of certain immigration services. The conferees also modified this section to address court jurisdiction matters.

The conference agreement deletes a Sense of the Senate provision (section 107) that states that Senate conferees should insist that the Joint Conference adopt section 102 of the Senate amendment. The House bill contained no similar provision.

The conferees agree that several specific provisions of the Homeland Security Act directly or indirectly address the oversight and use of appropriated funds and that the Senate and House Committees on Appropriations will review such sections in depth.

DIVISION M—OTHER MATTERS

DEFENSE RELATED TECHNICAL CORRECTIONS

The conferees considered section 5 of H.J. Res. 2 as passed the House, and Division M of H.J. Res. 2 as amended by the Senate. The conference agreement includes an amended version of Division M, as described below.

The conferees recommended retaining and amending a number of general provisions, proposed by either the House or Senate, which make technical and other adjustments regarding funding and activities provided for in Public Laws 107–248 and 107–249 (the Defense Appropriations Act, 2003, and the Military Construction Appropriations Act, 2003, respectively). In addition, in section 109 of this division the conferees recommend new appropriations totaling $10,000,000,000, pursuant to requests from the White House, for selected military and intelligence activities in support of the global war on terrorism.

Of this amount, $3,900,000,000 if for classified programs in support of the global war on terrorism and other critical anti-terrorism initiatives. These programs are described in a classified annex accompanying this joint statement. The remaining $6,100,000,000 is for reimbursement of personnel and operational costs incurred during the first quarter of the current fiscal year by the Department of Defense as a result of Operation Enduring Freedom; Operation Nobel Eagle; and related activities in the war on terrorism and homeland security operations. These funds are to be allocated as follows:

MILITARY PERSONNEL

The conference agreement includes $1,617,000,000 for active duty pay and allowances costs incurred from October through December 2002. This includes incremental cost increases in hostile fire pay, family separation allowances, hardship duty pay, subsistence and additional readiness/stop-loss personnel. Also covered are pay and allowances for the first quarter costs associated with mobilized Reservists and National Guardsmen.

(In thousands of dollars)

	Conference Amount
Military Personnel, Army	$771,200
Military Personnel, Navy	213,800
Military Personnel, Marine Corps	68,600
Military Personnel, Air Force	563,400

OPERATION AND MAINTENANCE

The conference agreement includes $4,387,900,000 for operations costs incurred from October through December 2002. These include personnel support costs (temporary duty, clothing, personal equipment and supplies, medical support and services, and subsistence); operating tempo costs (including incremental ship steaming days and aircraft flying hours, materials and services supporting operations, fuel, and spare/repair parts); and costs associated with the transportation of personnel, equipment and material.

(In thousands of dollars)

	Conference Amount
Operation and Maintenance, Army	$1,210,000
Operation and Maintenance, Navy	378,300
Operation and Maintenance, Marine Corps	202,100
Operation and Maintenance, Air Force	1,686,300
Operation and Maintenance, Defense-Wide	911,200
(U.S. Special Operations Command	531,100)
(Defense Logistics Agency	289,700)
(Defense Information Systems Agency	51,200)
(Defense Threat Reduction Agency	39,200)

DEFENSE HEALTH PROGRAM

The conference agreement includes $95,100,000 for the Defense Health Program, for the costs of replacement personnel to perform essential duties of deployed personnel; transportation costs to points of embarkation; funding for temporary duty in order to sustain essential health care services at military treatment facilities and in the private sector; additional funds for health care to support mobilized Reservists and their families; the costs of immunizations for personnel being deployed, and force protection.

REPROGRAMMING THRESHOLDS

The conferees agree to amend the Senate's recommendation to raise the thresholds for internal reprogramming actions. The conferees agree to increase reprogramming thresholds as proposed by the Senate, for Procurement and Research, Development, Test and Evaluation appropriations accounts for the remainder of fiscal year 2003. Changes to reprogramming thresholds are effective upon enactment of the accompanying Act and apply to fiscal year 2003 Procurement and Research, Development, Test and Evaluation appropriations. The Department shall submit Prior Approval reprogramming requests, DD Form 1415–1, in those instances when reprogramming of funds exceed the following thresholds:

An increase or decrease of $20,000,000 for program year 2003/2005 appropriations for a Procurement line item.

An increase or decrease of $10,000,000 for program year 2003/2004 appropriations for a Research, Development, Test and Evaluation program element.

Each of the reprogramming thresholds described above reflects aggregate levels of reprogramming activity within Procurement line items, and Research, Development, Test and Evaluation program elements.

The reprogramming of funds below these thresholds shall not increase lines specifically reduced by congressional action or decrease congressional interest items.

No below threshold decrease may exceed twenty percent of appropriated levels for each procurement line, or program element, or the limitations above, whichever is greater.

Below threshold reprogramming may restore non-specific reductions to the original level of the budget request or the level determined in the account tables, whichever is less.

PROJECT ATHENA

The Statement of Managers accompanying the conference report on Public Law 107–248 provided an earmark in the Research, Development, Test and Evaluation, Navy appropriation of $11,000,000 for development of the Project Athena coastal defense beta site from within the Marine Corps Communications line, PE 0206313M. The conferees agree that the line for the earmark is hereby changed to the Combating Terrorism Technology Support line, PE 0603122D8Z, in the Research, Development, Test and Evaluation, Defense-Wide appropriation. The conferees also agree that the amount of the earmark shall be decreased to $6,000,000.

DOMED HOUSING

The Statement of Managers accompanying the conference report on Public Law 107–248 directed that $2,000,000 be made available for the acquisition of domed housing in the Marshall Islands to support Department of Defense housing requirements. The conferees further direct that the procurement of additional domed housing units be limited to

those U.S. construction companies that have previously built this type of housing in the Marshall Islands.

NATIONAL DEFENSE SEALIFT REPORT

The conferees direct the Secretary of the Navy and the Secretary of Transportation to jointly report to the Committees on Appropriations, within 90 days of enactment of this Act, on the feasibility of establishing a pilot project to accelerate the introduction of next-generation high-speed sealift ships. Such a project shall provide for the construction in a United States shipyard of two high-speed sealift ships (together with ancillary facilities and equipment) to be used in commercial service and to be available to support the Navy's global military sealift requirements. Project financing should be derived from loans guaranteed by the Secretary of Transportation supported by amounts appropriated in fiscal years 2002 and 2003 under the National Defense Sealift Fund (designated for construction of additional sealift capacity), amounts appropriated to support Title XI maritime loan guarantees, and sums provided by non-federal parties as appropriate. Such report shall include an analysis of the national security benefits of using sealift ships designed to carry at least 10,000 tons of cargo at 36 knots or higher in sea states of up to 16 feet to meet high priority military requirements compared to existing sealift capabilities. Such report shall also include a technology readiness assessment, a financial analysis, and any additional recommended legislation that may be required to accomplish this project.

GENERAL PROVISIONS—THIS DIVISION

The conferees agree to amend section 101, as proposed by the Senate, which allows funds to be used to settle the disputed taking of property adjacent to the Tooele Army Depot.

The conferees agree to retain section 102, as proposed by the Senate, which provides funds for disposal of obsolete vessels in the Maritime Administration National Defense Reserve Fleet, and requires the Department to report to the congressional defense committees by March 1, 2003.

The conferees agree to delete section 103, as proposed by the Senate. The conferees agree, however, to amend section 122 of P.L. 107–249 to create an exception to the general prohibition against using NATO Security Investment Program (NSIP) funds in the New Independent States of the former Soviet Union. This exception authorizes no more than $1,000,000 to establish a communication system that connects various NATO headquarters and partnership for peace nations.

The conferees agree to retain section 104, as proposed by the Senate, which is a technical correction that moves funds from the Military Construction, Air Force account to the Military Construction, Air Force Reserve account.

The conferees agree to modify section 105, as proposed by the Senate, to clarify that the Secretary of the Air Force is authorized to transfer funds to the United States Fish and Wildlife Service for the purpose of acquiring land at Nellis Air Force Base.

The conferees agree to amend section 106, as proposed by the Senate, which increases the expense/investment threshold from $100,000 to $250,000 for items purchased with operation and maintenance funds, and includes authorization and grant authority for projects expressly designated for the Office of Economic Adjustment in the Statement of Managers accompanying the conference report on Public Law 107–248.

The conferees agree to amend section 107, as proposed by the Senate, which includes transfers of $104,000,000 in order to accelerate Patriot PAC-3 missile production. Among the sources specified in this general provision is ''Weapons and Tracked Combat Vehicles, Army, 2003/2005'', for $5,000,000 from the M1A2 SEP program. This section transfers $7,000,000 from ''Other Procurement, Air Force, 2003/2005'', from the following programs:

Thinpack Parachutes	–$3,000,000
Replacement of Transport Aircraft Troop Seats	–3,000,000
Replacement of Tactical Aircrew Life Preservers with the Navy's LPU–36	–1,000,000

This section also transfers $36,900,000 from ''Research, Development, Test and Evaluation, Defense-Wide, 2003/2004''. This amount includes $13,900,000, as specified by the Senate, from the ground-based midcourse defense sea-based x-band radar (SBX), and $23,000,000 from a Patriot PAC-3 enhancement program.

The conferees agree to amend section 108, as proposed by the Senate, which provides necessary legislative language for the timely execution of funds for certain Department of Defense Office of Economic Adjustment activities as provided in the Statement of Managers accompanying the conference report for Public Law 107–248.

The conferees agree to amend section 109, as proposed by the Senate, to provide $10,000,000,000 to support the global war on terrorism and classified activities, as requested by the White House. The conferees direct that all funds provided pursuant to section 109 be only for those activities cited in this joint statement and in the classified annex thereto.

The conferees agree to amend section 110, as proposed by the Senate, to provide authorization for fiscal year 2003 appropriations for intelligence activities pursuant to Section 504 of the National Security Act of 1947.

The conferees agree to include, with slight technical modifications, section 111 of Division M of the Senate passed bill regarding the Department of Defense's Total Information Awareness (TIA) program. In two instances the provision has been modified. First the conferees agree to allow the Administration 90 days after the bill is enacted to submit a report to Congress on the TIA program, instead of 60 days as proposed by the Senate. Second, the provision has been modified to clarify that, subject to the other terms and conditions of this section, the TIA program may be deployed at operating bases in the United States to assist in the conduct of lawful U.S. foreign intelligence activities against non-United States citizens only. The conferees agree with the clear intent of the Senate provision that, in no case, should the TIA program be used by the Department of Defense to conduct intelligence activities on United States citizens, or transferred to any other Federal agency for the same purpose.

The conferees agree to amend section 112, as proposed by the House, which provides the Secretary of Defense additional transfer authority of $500,000,000, only for unforeseen fuel cost requirements resulting from revised pricing and the global war on terrorism. Additionally, this provision is further amended to require prior notification of the Committees on Appropriations before any funds made available to the Department of Defense are used for the drawdown authority provided in Section 202 of the Afghanistan Freedom Support Act (Public Law 107–327).

The conferees are supportive of the overall objectives of the Afghanistan Freedom Support Act (AFSA). Nonetheless the conferees are extremely troubled that, in its first use of this authority, the Administration chose to use the U.S. military services' operations accounts as its funding source for the initial increment of AFSA drawdown—diverting $165,000,000 originally requested and subsequently appropriated for U.S. Army, Navy, and Air Force unit training and flying hours. As noted by the Deputy Secretary of Defense in a February 10, 2003 letter to the Defense Appropriations Subcommittees of the House and Senate, ''DoD cannot absorb these costs without affecting readiness.''

To implement this provision, the conferees therefore direct that the Department of Defense provide not less than 15 days prior written notification to the Committees on Appropriations prior to exercising any use of the section 202 drawdown authority which would use DoD funds. This notification should be provided no later than other required AFSA drawdown notifications to the Committees on Appropriations (e.g., Presidential determinations, or notifications from the Department of State, or others, as required under the AFSA or other laws). Each such notification shall include the proposed source of DoD funds by appropriations account and activity, as well as a description of the impact these funding transfers will have on the DoD programs so affected.

DIVISION N

TITLE I

ELECTION REFORM

The conferees agree to provide $1,500,000,000 for election reform. This includes funds to establish an Election Assistance Commission and to carry out programs authorized by the Help America Vote Act of 2002. The conferees agree to provide $650,000,000 to the General Services Administration (GSA) to carry out a program of payments to the States for improving the administration of elections and replacing punch card and lever voting machines with new voting technology. The conferees also agree to provide $15,000,000 to the Department of Health and Human Services for programs to ensure disabled voter access.

The conference agreement also earmarks amounts to be repaid to individual Forest Service appropriations accounts as proposed by the Senate. The House had no similar provision.

TITLE III—WILDLAND FIRE EMERGENCY

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The conference agreement includes $189,000,000 for wildland fire management as proposed by the Senate instead of an emergency supplemental appropriation for fiscal year 2002 of $200,000,000 as proposed by the House. These funds are to repay amounts transferred from other accounts to fight fires in fiscal year 2002.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The conference agreement includes $636,000,000 for wildland fire management as proposed by the Senate instead of an emergency supplemental appropriation for fiscal year 2002 of $500,000,000 as proposed by the House. These funds are to repay amounts transferred from other accounts to fight fires in fiscal year 2002.

DIVISION N—TITLE IV—TANF AND MEDICARE

The conference agreement includes section 401, which extends the Temporary Assistance for Needy Families in the manner authorized for fiscal year 2002 through June 30, 2003, instead of September 30, 2003 as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a new section, section 402, in lieu of sections 402

through 404 as proposed by the Senate, which (1) temporarily increases payments to rural and ''other urban'' hospitals through September 30 to the large urban standardized amount; and (2) provides legal protection for the Administration should they make corrections to data errors in the physician payment formula for past fiscal years. The House bill contained no similar provision.

The conference agreement includes section 403, originally proposed by the Senate as section 405 in the Senate amendment, which extends the Federal payment for Medicare Part B through Medicaid for qualifying individuals (those between 120 and 135 percent of poverty) through September 30, 2003. The House bill contained no similar provision.

DIVISION N—TITLE V—FISHERIES DISASTERS

Section 501.—The conference agreement includes section 501, included in the Senate, providing $100,000,000 for various fishery disasters. The House did not include a similar provision.

TITLE VI

OFFSETS

The conference agreement includes a 0.65 percent across-the-board rescission to discretionary budgetary resources provided in divisions A through K of this act, as well as to any previously enacted fiscal year 2003 advance appropriation. This rescission does not apply to the Head Start program, the Veterans' Medical Care program, the Women, Infants, and Children nutrition program, or the space shuttle program. Specific exemptions for these programs are also included in the respective sections of this joint resolution.

BONNEVILLE POWER ADMINISTRATION BORROWING AUTHORITY

The conference agreement provides $700,000,000 of new borrowing authority to the Bonneville Power Administration as proposed by the Senate. The conferees direct the Bonneville Power Administration to submit a detailed budget justification, by project, for its total capital improvement program to the House and Senate Committees on Appropriations not later than March 30, 2003, and to submit thereafter as part of the annual budget request, for approval by the House and Senate Committees on Appropriations.

DIVISION O

PRICE-ANDERSON ACT AMENDMENTS

The conference agreement modifies bill language as proposed by the Senate to extend portions of the Price-Anderson Act through December 31, 2003.

DIVISION P—U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

The conferees have included, under Division P, language and funding regarding the U.S.-China Economic and Security Review Commission.

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