

107TH CONGRESS
2^D SESSION

H. J. RES. 122

IN THE SENATE OF THE UNITED STATES

OCTOBER 10, 2002

Received

JOINT RESOLUTION

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

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That Public Law 107–229 is further amended by striking

1 the date specified in section 107(c) and inserting “October
2 18, 2002”.

3 SEC. 2. Section 101(2) of Public Law 107–229 is
4 amended by striking “section 15” and all that follows
5 through “(Public Law 103–236), and”.

6 SEC. 3. Section 114 of Public Law 107–229 is
7 amended by inserting before the colon at the end of the
8 first proviso the following: “: *Provided further*, That sec-
9 tion 3001 of the 21st Century Department of Justice Ap-
10 propriations Authorization Act (H.R. 2215) is amended
11 by striking subsection (d), and such amendment shall take
12 effect as if included in such Act on the date of its enact-
13 ment”.

14 SEC. 4. Section 117 of Public Law 107–229 is
15 amended to read as follows:

16 “SEC. 117. (a) The Congress finds that section 501
17 of title 44, United States Code, and section 207(a) of the
18 Legislative Branch Appropriations Act, 1993 (44 U.S.C.
19 501 note) require that (except as otherwise provided in
20 such sections) all printing, binding, and blankbook work
21 for Congress, the Executive Office, the Judiciary, other
22 than the Supreme Court of the United States, and every
23 executive department, independent office, and establish-
24 ment of the Government, shall be done at the Government
25 Printing Office.

1 “(b) No funds appropriated under this joint resolu-
2 tion or any other Act may be used—

3 “(1) to implement or comply with the Office of
4 Management and Budget Memorandum M-02-07,
5 ‘Procurement of Printing and Duplicating through
6 the Government Printing Office’, issued May 3,
7 2002, or any other memorandum or similar opinion
8 reaching the same, or substantially the same, result
9 as such memorandum; or

10 “(2) to pay for the printing (other than by the
11 Government Printing Office) of the budget of the
12 United States Government submitted by the Presi-
13 dent of the United States under section 1105 of title
14 31, United States Code.”.

15 SEC. 5. Public Law 107-229 is amended by adding
16 at the end the following new sections:

17 “SEC. 120. For entitlements and other mandatory
18 payments whose budget authority was provided in appro-
19 priations Acts for fiscal year 2002, and for activities under
20 the Food Stamp Act of 1977, activities shall be continued
21 at a rate to maintain program levels under current law,
22 under the authority and conditions provided in the appli-
23 cable appropriations Act for fiscal year 2002, to be contin-
24 ued through the date specified in section 107(c): *Provided*,
25 That notwithstanding section 107, funds shall be available

1 and obligations for mandatory payments due on or about
2 November 1, and December 1, 2002, may continue to be
3 made.

4 “SEC. 121. Notwithstanding any other provision of
5 this joint resolution, the annual rate of operations for the
6 Commodity Futures Trading Commission (CFTC) Sala-
7 ries and Expenses Account shall not exceed \$71,960,000
8 and shall include the cost of lease of office space for the
9 CFTC’s New York regional office at an annual rate not
10 to exceed \$1,949,000.

11 “SEC. 122. In addition to funds made available in
12 section 101, the Department of Justice may transfer to
13 the Immigration User Fee Account established by section
14 286(h) of the Immigration and Nationality Act (8 U.S.C.
15 1356(h)) such sums as may be necessary from unobligated
16 balances from funds appropriated to the Immigration and
17 Naturalization Service by Public Law 107–77 and division
18 B of Public Law 107–117, at a rate not to exceed
19 \$90,000,000 for the first quarter, through the date speci-
20 fied in section 107(c): *Provided*, That the sums trans-
21 ferred under this section shall be reimbursed from the Im-
22 migration User Fee Account by not later than April 1,
23 2003.

24 “SEC. 123. Notwithstanding section 105(a)(2), in ad-
25 dition to amounts made available in section 101, and sub-

1 ject to sections 107(c) and 108, for purposes of calculating
2 the rate of operations of General Legal Activities (GLA)
3 in the Department of Justice, \$7,300,000 available during
4 fiscal year 2002 from the Executive Office of the Presi-
5 dent shall be credited to GLA for purposes of admin-
6 istering the Victims Compensation Program.

7 “SEC. 124. Activities authorized by the Parole Com-
8 mission and Reorganization Act, P.L. 94–233, as amend-
9 ed, may continue through the date specified in section
10 107(c).

11 “SEC. 125. Notwithstanding any other provision of
12 this joint resolution, in addition to amounts made avail-
13 able in section 101, and subject to sections 107(c) and
14 108, such funds, from fee collections in fiscal year 2003,
15 shall be available for the Securities and Exchange Com-
16 mission to continue implementation of section 8 of Public
17 Law 107–123.

18 “SEC. 126. Notwithstanding any other provision of
19 this joint resolution, except section 107, the District of
20 Columbia may expend local funds at a rate in excess of
21 the rate under authority applicable prior to October 1,
22 2002 to cover payments that would be funded under the
23 heading ‘Repayment of Loans and Interest’.

24 “SEC. 127. No funds appropriated in this joint reso-
25 lution or any other Act may be used to implement any

1 restructuring of the Civil Works Program of the US Army
2 Corps of Engineers which would involve the transfer of
3 Civil Works missions, functions, or responsibilities from
4 the US Army Corps of Engineers to any other executive
5 branch agency or department without explicit congressional
6 authorization.

7 “SEC. 128. Notwithstanding any other provision of
8 this joint resolution, during fiscal year 2003, direct loans
9 under section 23 of the Arms Export Control Act may be
10 made available for Poland, gross obligations for the principal
11 amounts of which shall not exceed \$3,800,000,000:
12 *Provided*, That such loans shall be repaid in not more than
13 15 years, including a grace period of up to 8 years on
14 repayment of principal: *Provided further*, That no funds
15 are available for the subsidy costs of these loans: *Provided*
16 *further*, That the Government of Poland shall pay the full
17 cost, as defined in section 502 of the Federal Credit Reform
18 Act of 1990, as amended, associated with the loans,
19 including the cost of any defaults: *Provided further*, That
20 any fees associated with these loans shall be paid by the
21 Government of Poland prior to any disbursement of loan
22 proceeds: *Provided further*, That no funds made available
23 to Poland under this joint resolution or any other Act may
24 be used for payment of any fees associated with these
25 loans.

1 “SEC. 129. Notwithstanding section 1(c) of Public
2 Law 103–428, as amended, sections 1(a) and (b) of Public
3 Law 103–428 shall remain in effect until the date speci-
4 fied in section 107(c).

5 “SEC. 130. Notwithstanding any other provision of
6 this joint resolution, there is hereby appropriated, out of
7 any money in the Treasury not otherwise appropriated,
8 for payment to John F. Mink, widower of Patsy Mink,
9 late a Representative from the State of Hawaii, \$150,000.

10 “SEC. 131. Notwithstanding section 105(a)(2), in ad-
11 dition to amounts made available in section 101, and sub-
12 ject to sections 107(c) and 108, for purposes of calculating
13 the rate of operations for the Transportation Security Ad-
14 ministration (TSA) and the Federal Emergency Manage-
15 ment Agency (FEMA), the amount transferred by Public
16 Law 107–206 from TSA to FEMA shall be credited to
17 TSA, and such amount shall be deducted from FEMA.

18 “SEC. 132. Activities authorized by section 24 of the
19 United States Housing Act of 1937 (42 U.S.C. 1437v)
20 may continue through the date specified in section 107(c)
21 of this joint resolution.

22 “SEC. 133. (a) Each specified department or agency
23 shall, by December 6, 2002, submit directly to the Com-
24 mittees on Appropriations a report containing an evalua-
25 tion of the effect on the specified management areas of

1 operating through September 30, 2003, under joint reso-
2 lutions making continuing appropriations for fiscal year
3 2003 that fund programs and activities at not exceeding
4 the current rate of operations.

5 “(b) For purposes of subsection (a):

6 “(1) The term ‘specified department or agency’
7 means a department or agency identified on page 49
8 or 50 of the Budget of the United States Govern-
9 ment, Fiscal Year 2003 (H. Doc. 107–159, Vol. I),
10 except for the Department of Defense.

11 “(2) The term ‘specified management areas’
12 means the following management priorities described
13 in the President’s Management Agenda (August
14 2001): strategic management of human capital, com-
15 petitive sourcing, improved financial performance,
16 expanded electronic government, and budget and
17 performance integration.

18 “SEC. 134. (a) The Director of the Office of Manage-
19 ment and Budget shall submit to the Committees on Ap-
20 propriations a monthly report on all departmental and
21 agency obligations made since the beginning of fiscal year
22 2003 while operating under joint resolutions making con-
23 tinuing appropriations for such fiscal year.

24 “(b) Each report required by subsection (a) shall set
25 forth obligations by account, and shall contain a compari-

1 son of such obligations to the obligations incurred during
2 the same period for fiscal year 2002.

3 “(c) Reports shall be submitted under subsection (a)
4 beginning 1 month after the enactment of this section, and
5 ending 1 month after the expiration of the period covered
6 by the final joint resolution making continuing appropria-
7 tions for fiscal year 2003.

8 “(d)(1) Each report required by subsection (a) shall
9 include a list of all executive branch accounts for which
10 departments and agencies are operating under apportion-
11 ments that provide for a rate of operations that is lower
12 than the current rate, within the meaning of sections 101
13 and 105. For each such account, the report shall include
14 an estimate of the current rate for the period covered by
15 this joint resolution and the estimate of obligations during
16 such period.

17 “(2) By December 6, 2002, the Comptroller General
18 shall submit to the Committees on Appropriations a report
19 identifying executive branch accounts for which apportion-
20 ments made from funds appropriated or authority granted
21 by this joint resolution provide for a rate of operations
22 that differs from the current rate, within the meaning of
23 sections 101 and 105.

24 “SEC. 135. Appropriations made by this joint resolu-
25 tion are hereby reduced, at an annual rate, by the amounts

1 specified and in the accounts identified for one-time, non-
2 recurring projects and activities in Attachment C of Office
3 of Management and Budget Bulletin No. 02-06, Supple-
4 ment No. 1, dated October 4, 2002.

5 “SEC. 136. Activities authorized for 2002 by sections
6 1902(a)(10)(E)(iv) and 1933 of the Social Security Act,
7 as amended, with respect to individuals described in sec-
8 tion 1902(a)(10)(E)(iv)(I) of such Act may continue
9 through 60 days after the date specified in section 107(c)
10 of Public Law 107-229, as amended.

11 “SEC. 137. Notwithstanding any other provision of
12 this joint resolution, except sections 107(c) and 108, dur-
13 ing fiscal year 2003, the annual rate of operations for the
14 Federal-aid highways program for fiscal year 2003 shall
15 be \$31,799,104,000: *Provided*, That total obligations for
16 this program while operating under joint resolutions mak-
17 ing continuing appropriations for fiscal year 2003 shall
18 not exceed \$27,700,000,000, unless otherwise specified in
19 a subsequent appropriations Act. This section shall not af-
20 fect the availability of unobligated balances carried for-
21 ward into fiscal year 2003 that would otherwise be avail-
22 able for obligation.”.

Passed the House of Representatives October 10,
2002.

Attest:

JEFF TRANDAHL,

Clerk.