

Union Calendar No. 345

107TH CONGRESS
2^D SESSION

H. R. 5120

[Report No. 107-575]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2002

Mr. ISTOOK, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the

1 Treasury Department, the United States Postal Service,
2 the Executive Office of the President, and certain Inde-
3 pendent Agencies, for the fiscal year ending September 30,
4 2003, and for other purposes, namely:

5 TITLE I—DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of the Departmental Offices
10 including operation and maintenance of the Treasury
11 Building and Annex; hire of passenger motor vehicles;
12 maintenance, repairs, and improvements of, and purchase
13 of commercial insurance policies for, real properties leased
14 or owned overseas, when necessary for the performance
15 of official business; not to exceed \$3,500,000 for official
16 travel expenses; not to exceed \$3,813,000, to remain avail-
17 able until expended for information technology moderniza-
18 tion requirements; not to exceed \$150,000 for official re-
19 ception and representation expenses; not to exceed
20 \$258,000 for unforeseen emergencies of a confidential na-
21 ture, to be allocated and expended under the direction of
22 the Secretary of the Treasury and to be accounted for
23 solely on his certificate, \$187,241,000: *Provided*, That of
24 these amounts \$2,900,000 is available for grants to State
25 and local law enforcement groups to help fight money

1 laundering: *Provided further*, That of these amounts,
2 \$5,893,000 shall be for the Treasury-wide Financial
3 Statement Audit Program, of which such amounts as may
4 be necessary may be transferred to accounts of the De-
5 partment's offices and bureaus to conduct audits: *Pro-*
6 *vided further*, That this transfer authority shall be in addi-
7 tion to any other provided in this Act.

8 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

9 INVESTMENTS PROGRAMS

10 (INCLUDING TRANSFER OF FUNDS)

11 For development and acquisition of automatic data
12 processing equipment, software, and services for the De-
13 partment of the Treasury, \$68,828,000, to remain avail-
14 able until expended: *Provided*, That these funds shall be
15 transferred to accounts and in amounts as necessary to
16 satisfy the requirements of the Department's offices, bu-
17 reaus, and other organizations: *Provided further*, That this
18 transfer authority shall be in addition to any other trans-
19 fer authority provided in this Act.

20 OFFICE OF INSPECTOR GENERAL

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, not to exceed \$2,000,000 for official
25 travel expenses, including hire of passenger motor vehicles;

1 eral matching funds for each \$1.00 received from the Ex-
2 panded Access to Financial Services account.

3 COUNTERTERRORISM FUND

4 For necessary expenses, as determined by the Sec-
5 retary, \$33,000,000, to remain available until expended,
6 to reimburse any Department of the Treasury organiza-
7 tion for the costs of providing support to counter, inves-
8 tigate, or prosecute unexpected threats or acts of ter-
9 rorism, including payment of rewards in connection with
10 these activities: *Provided*, That any Federal agency may
11 be reimbursed for costs of responding to the United States
12 Secret Service's request to provide security at National
13 Special Security Events: *Provided further*, That any
14 amount provided under this heading shall be available only
15 after notice of its proposed use has been transmitted to
16 the Committees on Appropriations in accordance with
17 guidelines for reprogramming and transfer of funds and
18 such amount has been apportioned pursuant to 31 U.S.C.
19 1513.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK

21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-
23 forcement Network, including hire of passenger motor ve-
24 hicles; travel expenses of non-Federal law enforcement
25 personnel to attend meetings concerned with financial in-

1 telligence activities, law enforcement, and financial regula-
2 tion; not to exceed \$14,000 for official reception and rep-
3 resentation expenses; and for assistance to Federal law en-
4 forcement agencies, with or without reimbursement,
5 \$51,444,000, of which not to exceed \$3,400,000 shall re-
6 main available until September 30, 2005; and of which
7 \$8,338,000 shall remain available until September 30,
8 2004: *Provided*, That funds appropriated in this account
9 may be used to procure personal services contracts.

10 FEDERAL LAW ENFORCEMENT TRAINING

11 CENTER

12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Law Enforce-
14 ment Training Center, as a bureau of the Department of
15 the Treasury, including materials and support costs of
16 Federal law enforcement basic training; purchase (not to
17 exceed 52 for police-type use, without regard to the gen-
18 eral purchase price limitation) and hire of passenger
19 motor vehicles; for expenses for student athletic and re-
20 lated activities; uniforms without regard to the general
21 purchase price limitation for the current fiscal year; the
22 conducting of and participating in firearms matches and
23 presentation of awards; for public awareness and enhanc-
24 ing community support of law enforcement training; not
25 to exceed \$11,500 for official reception and representation

1 expenses; room and board for student interns; and services
2 as authorized by 5 U.S.C. 3109, \$152,951,000, of which
3 \$650,000 shall be available for an interagency effort to
4 establish written standards on accreditation of Federal law
5 enforcement training; and of which up to \$24,266,000 for
6 materials and support costs of Federal law enforcement
7 basic training shall remain available until September 30,
8 2005, and of which up to 20 percent of the \$24,266,000
9 also shall be available for travel, room and board costs
10 for participating agency basic training during the first
11 quarter of a fiscal year, subject to full reimbursement by
12 the benefitting agency: *Provided*, That the Center is au-
13 thorized to accept and use gifts of property, both real and
14 personal, and to accept services, for authorized purposes,
15 including funding of a gift of intrinsic value which shall
16 be awarded annually by the Director of the Center to the
17 outstanding student who graduated from a basic training
18 program at the Center during the previous fiscal year,
19 which shall be funded only by gifts received through the
20 Center's gift authority: *Provided further*, That the Center
21 is authorized to accept detailees from other Federal agen-
22 cies, on a non-reimbursable basis, to staff the accredita-
23 tion function: *Provided further*, That notwithstanding any
24 other provision of law, students attending training at any
25 Center site shall reside in on-Center or Center-provided

1 housing, insofar as available and in accordance with Cen-
2 ter policy: *Provided further*, That funds appropriated in
3 this account shall be available, at the discretion of the Di-
4 rector, for the following: training United States Postal
5 Service law enforcement personnel and Postal police offi-
6 cers; State and local government law enforcement training
7 on a space-available basis; training of foreign law enforce-
8 ment officials on a space-available basis with reimburse-
9 ment of actual costs to this appropriation, except that re-
10 imbursement may be waived by the Secretary for law en-
11 forcement training activities in foreign countries under-
12 taken pursuant to section 801 of the Antiterrorism and
13 Effective Death Penalty Act of 1996 (Public Law 104-
14 32); training of private sector security officials on a space-
15 available basis with reimbursement of actual costs to this
16 appropriation; and travel expenses of non-Federal per-
17 sonnel to attend course development meetings and training
18 sponsored by the Center: *Provided further*, That the Cen-
19 ter is authorized to obligate funds in anticipation of reim-
20 bursements from agencies receiving training sponsored by
21 the Center, except that total obligations at the end of the
22 fiscal year shall not exceed total budgetary resources avail-
23 able at the end of the fiscal year: *Provided further*, That
24 the Center is authorized to provide training for the Gang
25 Resistance Education and Training program to Federal

1 and non-Federal personnel at any facility in partnership
2 with the Bureau of Alcohol, Tobacco and Firearms: *Pro-*
3 *vided further*, That the Center is authorized to provide
4 short-term medical services for students undergoing train-
5 ing at the Center.

6 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
7 RELATED EXPENSES

8 For expansion of the Federal Law Enforcement
9 Training Center, for acquisition of necessary additional
10 real property and facilities, and for ongoing maintenance,
11 facility improvements, and related expenses, \$31,800,000,
12 to remain available until expended.

13 INTERAGENCY LAW ENFORCEMENT

14 INTERAGENCY CRIME AND DRUG ENFORCEMENT

15 For expenses necessary to conduct investigations and
16 convict offenders involved in organized crime drug traf-
17 ficking, including cooperative efforts with State and local
18 law enforcement, as it relates to the Treasury Department
19 law enforcement violations such as money laundering, vio-
20 lent crime, and smuggling, \$110,594,000.

21 FINANCIAL MANAGEMENT SERVICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the Financial Management
24 Service, \$220,664,000, of which not to exceed \$9,220,000
25 shall remain available until September 30, 2005, for infor-

1 mation systems modernization initiatives; and of which not
2 to exceed \$2,500 shall be available for official reception
3 and representation expenses.

4 BUREAU OF ALCOHOL, TOBACCO AND
5 FIREARMS
6 SALARIES AND EXPENSES

7 For necessary expenses of the Bureau of Alcohol, To-
8 bacco and Firearms, including purchase of not to exceed
9 822 vehicles for police-type use, of which 650 shall be for
10 replacement only, and hire of passenger motor vehicles;
11 hire of aircraft; services of expert witnesses at such rates
12 as may be determined by the Director; for payment of per
13 diem and/or subsistence allowances to employees where a
14 major investigative assignment requires an employee to
15 work 16 hours or more per day or to remain overnight
16 at his or her post of duty; not to exceed \$20,000 for offi-
17 cial reception and representation expenses; for training of
18 State and local law enforcement agencies with or without
19 reimbursement, including training in connection with the
20 training and acquisition of canines for explosives and fire
21 accelerants detection; not to exceed \$50,000 for coopera-
22 tive research and development programs for Laboratory
23 Services and Fire Research Center activities; and provi-
24 sion of laboratory assistance to State and local agencies,
25 with or without reimbursement, \$891,034,000; of which

1 not to exceed \$1,000,000 shall be available for the pay-
2 ment of attorneys' fees as provided by 18 U.S.C.
3 924(d)(2); of which up to \$2,000,000 shall be available
4 for the equipping of any vessel, vehicle, equipment, or air-
5 craft available for official use by a State or local law en-
6 forcement agency if the conveyance will be used in joint
7 law enforcement operations with the Bureau of Alcohol,
8 Tobacco and Firearms and for the payment of overtime
9 salaries including Social Security and Medicare, travel,
10 fuel, training, equipment, supplies, and other similar costs
11 of State and local law enforcement personnel, including
12 sworn officers and support personnel, that are incurred
13 in joint operations with the Bureau of Alcohol, Tobacco
14 and Firearms; of which \$13,000,000, to remain available
15 until expended, shall be available for disbursements
16 through grants, cooperative agreements or contracts to
17 local governments for Gang Resistance Education and
18 Training; and of which \$3,200,000 for new headquarters
19 shall remain available until September 30, 2004: *Provided,*
20 That no funds made available by this or any other Act
21 may be used to transfer the functions, missions, or activi-
22 ties of the Bureau of Alcohol, Tobacco and Firearms to
23 other agencies or Departments in fiscal year 2003: *Pro-*
24 *vided further,* That no funds appropriated herein shall be
25 available for salaries or administrative expenses in connec-

1 tion with consolidating or centralizing, within the Depart-
2 ment of the Treasury, the records, or any portion thereof,
3 of acquisition and disposition of firearms maintained by
4 Federal firearms licensees: *Provided further*, That no
5 funds appropriated herein shall be used to pay administra-
6 tive expenses or the compensation of any officer or em-
7 ployee of the United States to implement an amendment
8 or amendments to 27 CFR 178.118 or to change the defi-
9 nition of “Curios or relics” in 27 CFR 178.11 or remove
10 any item from ATF Publication 5300.11 as it existed on
11 January 1, 1994: *Provided further*, That none of the funds
12 appropriated herein shall be available to investigate or act
13 upon applications for relief from Federal firearms disabil-
14 ities under 18 U.S.C. 925(c): *Provided further*, That such
15 funds shall be available to investigate and act upon appli-
16 cations filed by corporations for relief from Federal fire-
17 arms disabilities under 18 U.S.C. 925(c): *Provided further*,
18 That no funds under this Act may be used to electronically
19 retrieve information gathered pursuant to 18 U.S.C.
20 923(g)(4) by name or any personal identification code.

21 UNITED STATES CUSTOMS SERVICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the United States Customs
24 Service, including purchase and lease of up to 1,535 motor
25 vehicles, of which 550 are for replacement only and of

1 which 1,500 are for police-type use and commercial oper-
2 ations; hire of motor vehicles; contracting with individuals
3 for personal services abroad; not to exceed \$40,000 for
4 official reception and representation expenses; and awards
5 of compensation to informers, as authorized by any Act
6 enforced by the United States Customs Service,
7 \$2,496,165,000, of which such sums as become available
8 in the Customs User Fee Account, except sums subject
9 to section 13031(f)(3) of the Consolidated Omnibus Budg-
10 et Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall
11 be derived from that Account; of the total, not to exceed
12 \$150,000 shall be available for payment for rental space
13 in connection with preclearance operations; not to exceed
14 \$4,000,000 shall be available until expended for research;
15 not less than \$100,000 shall be available to promote public
16 awareness of the child pornography tipline; not to exceed
17 \$5,000,000 shall be available until expended for con-
18 ducting special operations pursuant to 19 U.S.C. 2081;
19 not to exceed \$8,000,000 shall be available until expended
20 for the procurement of automation infrastructure items,
21 including hardware, software, and installation; and not to
22 exceed \$5,000,000 shall be available until expended for re-
23 pairs to Customs facilities: *Provided*, That uniforms may
24 be purchased without regard to the general purchase price
25 limitation for the current fiscal year: *Provided further*,

1 That notwithstanding any other provision of law, the fiscal
2 year aggregate overtime limitation prescribed in sub-
3 section 5(c)(1) of the Act of February 13, 1911 (19
4 U.S.C. 261 and 267) shall be \$30,000.

5 HARBOR MAINTENANCE FEE COLLECTION

6 (INCLUDING TRANSFER OF FUNDS)

7 For administrative expenses related to the collection
8 of the Harbor Maintenance Fee, pursuant to Public Law
9 103–182, \$3,000,000, to be derived from the Harbor
10 Maintenance Trust Fund and to be transferred to and
11 merged with the Customs “Salaries and Expenses” ac-
12 count for such purposes.

13 OPERATION, MAINTENANCE AND PROCUREMENT, AIR

14 AND MARINE INTERDICTION PROGRAMS

15 For expenses, not otherwise provided for, necessary
16 for the operation and maintenance of marine vessels, air-
17 craft, and other related equipment of the Air and Marine
18 Programs, including operational training and mission-re-
19 lated travel, and rental payments for facilities occupied by
20 the air or marine interdiction and demand reduction pro-
21 grams, the operations of which include the following: the
22 interdiction of narcotics and other goods; the provision of
23 support to Customs and other Federal, State, and local
24 agencies in the enforcement or administration of laws en-
25 forced by the Customs Service; and, at the discretion of

1 the Commissioner of Customs, the provision of assistance
2 to Federal, State, and local agencies in other law enforce-
3 ment and emergency humanitarian efforts, \$190,000,000,
4 which shall remain available until expended: *Provided*,
5 That no aircraft or other related equipment, with the ex-
6 ception of aircraft which is one of a kind and has been
7 identified as excess to Customs requirements and aircraft
8 which has been damaged beyond repair, shall be trans-
9 ferred to any other Federal agency, department, or office
10 outside of the Department of the Treasury, during fiscal
11 year 2003 without the prior approval of the Committees
12 on Appropriations.

13 AUTOMATION MODERNIZATION

14 For expenses not otherwise provided for Customs
15 automated systems, \$439,332,000, to remain available
16 until expended, of which not less than \$316,900,000 shall
17 be for the development of the Automated Commercial En-
18 vironment: *Provided*, That none of the funds appropriated
19 under this heading may be obligated for the Automated
20 Commercial Environment until the United States Customs
21 Service prepares and submits to the Committees on Ap-
22 propriations a plan for expenditure that: (1) meets the
23 capital planning and investment control review require-
24 ments established by the Office of Management and Budg-
25 et, including OMB Circular A-11, part 3; (2) complies

1 with the United States Customs Service's Enterprise In-
2 formation Systems Architecture; (3) complies with the ac-
3 quisition rules, requirements, guidelines, and systems ac-
4 quisition management practices of the Federal Govern-
5 ment; (4) is reviewed and approved by the Customs Invest-
6 ment Review Board, the Department of the Treasury, and
7 the Office of Management and Budget; and (5) is reviewed
8 by the General Accounting Office: *Provided further*, That
9 none of the funds appropriated under this heading may
10 be obligated for the Automated Commercial Environment
11 until such expenditure plan has been approved by the
12 Committees on Appropriations.

13 UNITED STATES MINT

14 UNITED STATES MINT PUBLIC ENTERPRISE FUND

15 Pursuant to section 5136 of title 31, United States
16 Code, the United States Mint is provided funding through
17 the United States Mint Public Enterprise Fund for costs
18 associated with the production of circulating coins, numis-
19 matic coins, and protective services, including both oper-
20 ating expenses and capital investments. The aggregate
21 amount of new liabilities and obligations incurred during
22 fiscal year 2003 under such section 5136 for circulating
23 coinage and protective service capital investments of the
24 United States Mint shall not exceed \$34,900,000.

1 BUREAU OF THE PUBLIC DEBT
2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-
4 debt issues of the United States, \$173,073,000, of which
5 not to exceed \$2,500 shall be available for official recep-
6 tion and representation expenses, and of which not to ex-
7 ceed \$2,000,000 shall remain available until expended for
8 systems modernization: *Provided*, That the sum appro-
9 priated herein from the General Fund for fiscal year 2003
10 shall be reduced by not more than \$4,400,000 as definitive
11 security issue fees and Treasury Direct Investor Account
12 Maintenance fees are collected, so as to result in a final
13 fiscal year 2003 appropriation from the General Fund es-
14 timated at \$168,673,000. In addition, \$40,000, to be de-
15 rived from the Oil Spill Liability Trust Fund to reimburse
16 the Bureau for administrative and personnel expenses for
17 financial management of the Fund, as authorized by sec-
18 tion 1012 of Public Law 101–380.

19 INTERNAL REVENUE SERVICE
20 PROCESSING, ASSISTANCE, AND MANAGEMENT

21 For necessary expenses of the Internal Revenue Serv-
22 ice for pre-filing taxpayer assistance and education, filing
23 and account services, shared services support, general
24 management and administration; and services as author-
25 ized by 5 U.S.C. 3109, at such rates as may be determined

1 by the Commissioner, \$3,955,777,000, of which up to
2 \$3,950,000 shall be for the Tax Counseling for the Elderly
3 Program, of which \$9,000,000 shall be available for low-
4 income taxpayer clinic grants, and of which not to exceed
5 \$25,000 shall be for official reception and representation
6 expenses.

7 TAX LAW ENFORCEMENT

8 For necessary expenses of the Internal Revenue Serv-
9 ice for determining and establishing tax liabilities; pro-
10 viding litigation support; conducting criminal investigation
11 and enforcement activities; securing unfiled tax returns;
12 collecting unpaid accounts; conducting a document match-
13 ing program; resolving taxpayer problems through prompt
14 identification, referral and settlement; compiling statistics
15 of income and conducting compliance research; purchase
16 (for police-type use, not to exceed 850) and hire of pas-
17 senger motor vehicles (31 U.S.C. 1343(b)); and services
18 as authorized by 5 U.S.C. 3109, at such rates as may be
19 determined by the Commissioner, \$3,729,072,000 of
20 which not to exceed \$1,000,000 shall remain available
21 until September 30, 2005, for research.

22 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

23 For funding essential earned income tax credit com-
24 pliance and error reduction initiatives, \$146,000,000, of
25 which not to exceed \$10,000,000 may be used to reim-

1 burse the Social Security Administration for the costs of
2 implementing section 1090 of the Taxpayer Relief Act of
3 1997.

4 INFORMATION SYSTEMS

5 For necessary expenses of the Internal Revenue Serv-
6 ice for information systems and telecommunications sup-
7 port, including developmental information systems and
8 operational information systems; the hire of passenger
9 motor vehicles (31 U.S.C. 1343(b)); and services as au-
10 thorized by 5 U.S.C. 3109, at such rates as may be deter-
11 mined by the Commissioner, \$1,632,444,000, which shall
12 remain available until September 30, 2004.

13 BUSINESS SYSTEMS MODERNIZATION

14 For necessary expenses of the Internal Revenue Serv-
15 ice, \$436,000,000, to remain available until September 30,
16 2005, for the capital asset acquisition of information tech-
17 nology systems, including management and related con-
18 tractual costs of said acquisitions, including contractual
19 costs associated with operations authorized by 5 U.S.C.
20 3109: *Provided*, That none of these funds may be obli-
21 gated until the Internal Revenue Service submits to the
22 Committees on Appropriations, and such Committees ap-
23 prove, a plan for expenditure that: (1) meets the capital
24 planning and investment control review requirements es-
25 tablished by the Office of Management and Budget, in-

1 cluding Circular A–11 part 3; (2) complies with the Inter-
2 nal Revenue Service’s enterprise architecture, including
3 the modernization blueprint; (3) conforms with the Inter-
4 nal Revenue Service’s enterprise life cycle methodology;
5 (4) is approved by the Internal Revenue Service, the De-
6 partment of the Treasury, and the Office of Management
7 and Budget; (5) has been reviewed by the General Ac-
8 counting Office; and (6) complies with the acquisition
9 rules, requirements, guidelines, and systems acquisition
10 management practices of the Federal Government.

11 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE
12 SERVICE

13 SEC. 101. Not to exceed 5 percent of any appropria-
14 tion made available in this Act to the Internal Revenue
15 Service may be transferred to any other Internal Revenue
16 Service appropriation upon the advance approval of the
17 Committees on Appropriations.

18 SEC. 102. The Internal Revenue Service shall main-
19 tain a training program to ensure that Internal Revenue
20 Service employees are trained in taxpayers’ rights, in deal-
21 ing courteously with the taxpayers, and in cross-cultural
22 relations.

23 SEC. 103. The Internal Revenue Service shall insti-
24 tute and enforce policies and procedures that will safe-
25 guard the confidentiality of taxpayer information.

1 SEC. 104. Funds made available by this or any other
2 Act to the Internal Revenue Service shall be available for
3 improved facilities and increased manpower to provide suf-
4 ficient and effective 1-800 help line service for taxpayers.
5 The Commissioner shall continue to make the improve-
6 ment of the Internal Revenue Service 1-800 help line serv-
7 ice a priority and allocate resources necessary to increase
8 phone lines and staff to improve the Internal Revenue
9 Service 1-800 help line service.

10 UNITED STATES SECRET SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of the United States Secret
13 Service, including purchase of not to exceed 610 vehicles
14 for police-type use for replacement only, and hire of pas-
15 senger motor vehicles; purchase of American-made side-
16 car compatible motorcycles; hire of aircraft; services of ex-
17 pert witnesses at such rates as may be determined by the
18 Director; rental of buildings in the District of Columbia,
19 and fencing, lighting, guard booths, and other facilities on
20 private or other property not in Government ownership or
21 control, as may be necessary to perform protective func-
22 tions; for payment of per diem and/or subsistence allow-
23 ances to employees where a protective assignment during
24 the actual day or days of the visit of a protectee require
25 an employee to work 16 hours per day or to remain over-

1 night at his or her post of duty; the conducting of and
2 participating in firearms matches; presentation of awards;
3 for travel of Secret Service employees on protective mis-
4 sions without regard to the limitations on such expendi-
5 tures in this or any other Act if approval is obtained in
6 advance from the Committees on Appropriations; for re-
7 search and development; for making grants to conduct be-
8 havioral research in support of protective research and op-
9 erations; not to exceed \$25,000 for official reception and
10 representation expenses; not to exceed \$100,000 to pro-
11 vide technical assistance and equipment to foreign law en-
12 forcement organizations in counterfeit investigations; for
13 payment in advance for commercial accommodations as
14 may be necessary to perform protective functions; and for
15 uniforms without regard to the general purchase price lim-
16 itation for the current fiscal year, \$1,017,892,000, of
17 which \$1,633,000 shall be available for forensic and re-
18 lated support of investigations of missing and exploited
19 children, and of which \$4,000,000 shall be available as
20 a grant for activities related to the investigations of ex-
21 ploited children and shall remain available until expended:
22 *Provided*, That up to \$18,000,000 provided for protective
23 travel shall remain available until September 30, 2004;
24 *Provided further*, That funds appropriated in this account
25 shall be available, at the discretion of the Director, for

1 the following: training United States Postal Service law
2 enforcement personnel and Postal police officers, training
3 Federal law enforcement officers, training State and local
4 government law enforcement officers on a space-available
5 basis with or without reimbursement of actual costs to this
6 appropriation, training private sector security officials on
7 a space-available basis with reimbursement of actual costs
8 to this appropriation, and training foreign law enforce-
9 ment officers on a space-available basis with reimburse-
10 ment of actual costs to this appropriation: *Provided fur-*
11 *ther*, That the United States Secret Service is authorized
12 to obligate funds in anticipation of reimbursements from
13 agencies and entities receiving training sponsored by the
14 James J. Rowley Training Center, except that total obliga-
15 tions at the end of the fiscal year shall not exceed total
16 budgetary resources available at the end of the fiscal year:
17 *Provided further*, That the James J. Rowley Training Cen-
18 ter is authorized to provide short-term medical services for
19 students undergoing training at the Center.

20 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
21 RELATED EXPENSES

22 For necessary expenses of construction, repair, alter-
23 ation, and improvement of facilities, \$3,519,000, to re-
24 main available until expended.

1 GENERAL PROVISIONS—DEPARTMENT OF THE
2 TREASURY

3 SEC. 110. Any obligation or expenditure by the Sec-
4 retary of the Treasury in connection with law enforcement
5 activities of a Federal agency or a Department of the
6 Treasury law enforcement organization in accordance with
7 31 U.S.C. 9703(g)(4)(B) from unobligated balances re-
8 maining in the Fund on September 30, 2003, shall be
9 made in compliance with reprogramming guidelines.

10 SEC. 111. Appropriations to the Department of the
11 Treasury in this Act shall be available for uniforms or al-
12 lowances therefor, as authorized by law (5 U.S.C. 5901),
13 including maintenance, repairs, and cleaning; purchase of
14 insurance for official motor vehicles operated in foreign
15 countries; purchase of motor vehicles without regard to the
16 general purchase price limitations for vehicles purchased
17 and used overseas for the current fiscal year; entering into
18 contracts with the Department of State for the furnishing
19 of health and medical services to employees and their de-
20 pendants serving in foreign countries; and services author-
21 ized by 5 U.S.C. 3109.

22 SEC. 112. The funds provided to the Bureau of Alco-
23 hol, Tobacco and Firearms for fiscal year 2003 in this
24 Act for the enforcement of the Federal Alcohol Adminis-
25 tration Act shall be expended in a manner so as not to

1 diminish enforcement efforts with respect to section 105
2 of the Federal Alcohol Administration Act.

3 SEC. 113. Not to exceed 2 percent of any appropria-
4 tions in this Act made available to the Federal Law En-
5 forcement Training Center, Financial Crimes Enforce-
6 ment Network, Bureau of Alcohol, Tobacco and Firearms,
7 United States Customs Service, Interagency Crime and
8 Drug Enforcement, and United States Secret Service may
9 be transferred between such appropriations upon the ad-
10 vance approval of the Committees on Appropriations. No
11 transfer may increase or decrease any such appropriation
12 by more than 2 percent.

13 SEC. 114. Not to exceed 2 percent of any appropria-
14 tions in this Act made available to the Departmental Of-
15 fice—Salaries and Expenses, Office of Inspector General,
16 Treasury Inspector General for Tax Administration, Fi-
17 nancial Management Service, and Bureau of the Public
18 Debt, may be transferred between such appropriations
19 upon the advance approval of the Committees on Appro-
20 priations. No transfer may increase or decrease any such
21 appropriation by more than 2 percent.

22 SEC. 115. Not to exceed 2 percent of any appropria-
23 tion made available in this Act to the Internal Revenue
24 Service may be transferred to the Treasury Inspector Gen-
25 eral for Tax Administration's appropriation upon the ad-

1 vance approval of the Committees on Appropriations. No
2 transfer may increase or decrease any such appropriation
3 by more than 2 percent.

4 SEC. 116. Of the funds available for the purchase of
5 law enforcement vehicles, no funds may be obligated until
6 the Secretary of the Treasury certifies that the purchase
7 by the respective Treasury bureau is consistent with De-
8 partmental vehicle management principles: *Provided*, That
9 the Secretary may delegate this authority to the Assistant
10 Secretary for Management.

11 SEC. 117. None of the funds appropriated in this Act
12 or otherwise available to the Department of the Treasury
13 or the Bureau of Engraving and Printing may be used
14 to redesign the \$1 Federal Reserve note.

15 SEC. 118. The Secretary of the Treasury may trans-
16 fer funds from “Salaries and Expenses”, Financial Man-
17 agement Service, to the Debt Services Account as nec-
18 essary to cover the costs of debt collection: *Provided*, That
19 such amounts shall be reimbursed to such Salaries and
20 Expenses account from debt collections received in the
21 Debt Services Account.

22 SEC. 119. Section 122(g)(1) of Public Law 105–119
23 (5 U.S.C. 3104 note), is further amended by striking “4
24 years” and inserting “5 years”.

1 SEC. 120. None of the funds appropriated or other-
2 wise made available by this or any other Act may be used
3 by the United States Mint to construct or operate any mu-
4 seum without the explicit approval of the House Com-
5 mittee on Financial Services and the Senate Committee
6 on Banking, Housing, and Urban Affairs.

7 SEC. 121. None of the funds appropriated or made
8 available by this Act may be used for the production of
9 Customs Declarations that do not inquire whether the pas-
10 senger had been in the proximity of livestock.

11 SEC. 122. The Federal Law Enforcement Training
12 Center is directed to establish an accrediting body that
13 will include representatives from the Federal law enforce-
14 ment community, as well as non-Federal accreditation ex-
15 perts involved in law enforcement training. The purpose
16 of this body will be to establish standards for measuring
17 and assessing the quality and effectiveness of Federal law
18 enforcement training programs, facilities, and instructors.

19 This title may be cited as the “Treasury Department
20 Appropriations Act, 2003”.

21 TITLE II—POSTAL SERVICE

22 PAYMENT TO THE POSTAL SERVICE FUND

23 For payment to the Postal Service Fund for revenue
24 forgone on free and reduced rate mail, pursuant to sub-
25 sections (c) and (d) of section 2401 of title 39, United

1 States Code, \$60,014,000, of which \$31,014,000 shall not
2 be available for obligation until October 1, 2003: *Provided*,
3 That mail for overseas voting and mail for the blind shall
4 continue to be free: *Provided further*, That 6-day delivery
5 and rural delivery of mail shall continue at not less than
6 the 1983 level: *Provided further*, That none of the funds
7 made available to the Postal Service by this Act shall be
8 used to implement any rule, regulation, or policy of charg-
9 ing any officer or employee of any State or local child sup-
10 port enforcement agency, or any individual participating
11 in a State or local program of child support enforcement,
12 a fee for information requested or provided concerning an
13 address of a postal customer: *Provided further*, That none
14 of the funds provided in this Act shall be used to consoli-
15 date or close small rural and other small post offices in
16 fiscal year 2003.

17 This title may be cited as the “Postal Service Appro-
18 priations Act, 2003”.

1 TITLE III—EXECUTIVE OFFICE OF THE PRESI-
2 DENT AND FUNDS APPROPRIATED TO THE
3 PRESIDENT

4 COMPENSATION OF THE PRESIDENT AND THE
5 WHITE HOUSE OFFICE

6 COMPENSATION OF THE PRESIDENT

7 For compensation of the President, including an ex-
8 pense allowance at the rate of \$50,000 per annum as au-
9 thorized by 3 U.S.C. 102, \$450,000: *Provided*, That none
10 of the funds made available for official expenses shall be
11 expended for any other purpose and any unused amount
12 shall revert to the Treasury pursuant to section 1552 of
13 title 31, United States Code: *Provided further*, That none
14 of the funds made available for official expenses shall be
15 considered as taxable to the President.

16 SALARIES AND EXPENSES

17 For necessary expenses for the White House as au-
18 thorized by law, including not to exceed \$3,850,000 for
19 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
20 subsistence expenses as authorized by 3 U.S.C. 105, which
21 shall be expended and accounted for as provided in that
22 section; hire of passenger motor vehicles, newspapers,
23 periodicals, teletype news service, and travel (not to exceed
24 \$100,000 to be expended and accounted for as provided
25 by 3 U.S.C. 103); and not to exceed \$19,000 for official

1 entertainment expenses, to be available for allocation with-
2 in the Executive Office of the President, \$50,715,000:
3 *Provided*, That \$8,650,000 of the funds appropriated shall
4 be available for reimbursements to the White House Com-
5 munications Agency.

6 OFFICE OF HOMELAND SECURITY

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Homeland Se-
9 curity, pursuant to Executive Order 13288, \$24,061,000:
10 *Provided*, That the Office of Homeland Security shall sub-
11 mit a report identifying estimated obligations for each
12 function assigned to this Office pursuant to Executive
13 Order 13288 to the House Committee on Appropriations
14 no later than November 1, 2002.

15 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

16 OPERATING EXPENSES

17 For the care, maintenance, repair and alteration, re-
18 furnishing, improvement, heating, and lighting, including
19 electric power and fixtures, of the Executive Residence at
20 the White House and official entertainment expenses of
21 the President, \$12,228,000, to be expended and accounted
22 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

23 REIMBURSABLE EXPENSES

24 For the reimbursable expenses of the Executive Resi-
25 dence at the White House, such sums as may be nec-

1 essary: *Provided*, That all reimbursable operating expenses
2 of the Executive Residence shall be made in accordance
3 with the provisions of this paragraph: *Provided further*,
4 That, notwithstanding any other provision of law, such
5 amount for reimbursable operating expenses shall be the
6 exclusive authority of the Executive Residence to incur ob-
7 ligations and to receive offsetting collections, for such ex-
8 penses: *Provided further*, That the Executive Residence
9 shall require each person sponsoring a reimbursable polit-
10 ical event to pay in advance an amount equal to the esti-
11 mated cost of the event, and all such advance payments
12 shall be credited to this account and remain available until
13 expended: *Provided further*, That the Executive Residence
14 shall require the national committee of the political party
15 of the President to maintain on deposit \$25,000, to be
16 separately accounted for and available for expenses relat-
17 ing to reimbursable political events sponsored by such
18 committee during such fiscal year: *Provided further*, That
19 the Executive Residence shall ensure that a written notice
20 of any amount owed for a reimbursable operating expense
21 under this paragraph is submitted to the person owing
22 such amount within 60 days after such expense is in-
23 curred, and that such amount is collected within 30 days
24 after the submission of such notice: *Provided further*, That
25 the Executive Residence shall charge interest and assess

1 penalties and other charges on any such amount that is
2 not reimbursed within such 30 days, in accordance with
3 the interest and penalty provisions applicable to an out-
4 standing debt on a United States Government claim under
5 section 3717 of title 31, United States Code: *Provided fur-*
6 *ther*, That each such amount that is reimbursed, and any
7 accompanying interest and charges, shall be deposited in
8 the Treasury as miscellaneous receipts: *Provided further*,
9 That the Executive Residence shall prepare and submit
10 to the Committees on Appropriations, by not later than
11 90 days after the end of the fiscal year covered by this
12 Act, a report setting forth the reimbursable operating ex-
13 penses of the Executive Residence during the preceding
14 fiscal year, including the total amount of such expenses,
15 the amount of such total that consists of reimbursable offi-
16 cial and ceremonial events, the amount of such total that
17 consists of reimbursable political events, and the portion
18 of each such amount that has been reimbursed as of the
19 date of the report: *Provided further*, That the Executive
20 Residence shall maintain a system for the tracking of ex-
21 penses related to reimbursable events within the Executive
22 Residence that includes a standard for the classification
23 of any such expense as political or nonpolitical: *Provided*
24 *further*, That no provision of this paragraph may be con-
25 strued to exempt the Executive Residence from any other

1 applicable requirement of subchapter I or II of chapter
2 37 of title 31, United States Code.

3 WHITE HOUSE REPAIR AND RESTORATION

4 For the repair, alteration, and improvement of the
5 Executive Residence at the White House, \$1,200,000, to
6 remain available until expended, for projects for required
7 maintenance, safety and health issues, and continued pre-
8 ventative maintenance.

9 SPECIAL ASSISTANCE TO THE PRESIDENT AND
10 THE OFFICIAL RESIDENCE OF THE VICE
11 PRESIDENT

12 SALARIES AND EXPENSES

13 For necessary expenses to enable the Vice President
14 to provide assistance to the President in connection with
15 specially assigned functions; services as authorized by 5
16 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
17 penses as authorized by 3 U.S.C. 106, which shall be ex-
18 pended and accounted for as provided in that section; and
19 hire of passenger motor vehicles, \$3,160,000.

20 OPERATING EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For the care, operation, refurnishing, improvement,
23 heating and lighting, including electric power and fixtures,
24 of the official residence of the Vice President; the hire of
25 passenger motor vehicles; and not to exceed \$90,000 for

1 official entertainment expenses of the Vice President, to
2 be accounted for solely on his certificate, \$324,000: *Pro-*
3 *vided*, That advances or repayments or transfers from this
4 appropriation may be made to any department or agency
5 for expenses of carrying out such activities.

6 COUNCIL OF ECONOMIC ADVISERS

7 SALARIES AND EXPENSES

8 For necessary expenses of the Council of Economic
9 Advisors in carrying out its functions under the Employ-
10 ment Act of 1946 (15 U.S.C. 1021), \$3,763,000.

11 OFFICE OF POLICY DEVELOPMENT

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of Policy Devel-
14 opment, including services as authorized by 5 U.S.C. 3109
15 and 3 U.S.C. 107, \$3,251,000.

16 NATIONAL SECURITY COUNCIL

17 SALARIES AND EXPENSES

18 For necessary expenses of the National Security
19 Council, including services as authorized by 5 U.S.C.
20 3109, \$7,803,000.

21 OFFICE OF ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Administra-
24 tion, including services as authorized by 5 U.S.C. 3109
25 and 3 U.S.C. 107, and hire of passenger motor vehicles,

1 \$92,681,000, of which \$17,495,000 shall remain available
2 until expended for the Capital Investment Plan for contin-
3 ued modernization of the information technology infra-
4 structure within the Executive Office of the President:
5 *Provided*, That the Executive Office of the President shall
6 submit a report to the House Committee on Appropria-
7 tions that includes a current description of: (1) the Enter-
8 prise Architecture, as defined in OMB Circular A-130 and
9 the Federal Chief Information Officers Council guidance;
10 (2) the Information Technology (IT) Human Capital Plan;
11 (3) the capital investment plan for implementing the En-
12 terprise Architecture; and (4) the IT capital planning and
13 investment control process: *Provided further*, That this re-
14 port shall be reviewed and approved by the Office of Man-
15 agement and Budget, and reviewed by the General Ac-
16 counting Office.

17 OFFICE OF MANAGEMENT AND BUDGET

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Management
20 and Budget, including hire of passenger motor vehicles
21 and services as authorized by 5 U.S.C. 3109,
22 \$61,492,000, of which not to exceed \$5,000,000 shall be
23 available to carry out the provisions of chapter 35 of title
24 44, United States Code, and of which not to exceed \$3,000
25 shall be available for official representation expenses: *Pro-*

1 *vided*, That, as provided in 31 U.S.C. 1301(a), appropria-
2 tions shall be applied only to the objects for which appro-
3 priations were made except as otherwise provided by law:
4 *Provided further*, That none of the funds appropriated in
5 this Act for the Office of Management and Budget may
6 be used for the purpose of reviewing any agricultural mar-
7 keting orders or any activities or regulations under the
8 provisions of the Agricultural Marketing Agreement Act
9 of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That
10 none of the funds made available for the Office of Manage-
11 ment and Budget by this Act may be expended for the
12 altering of the transcript of actual testimony of witnesses,
13 except for testimony of officials of the Office of Manage-
14 ment and Budget, before the Committees on Appropria-
15 tions or the Committees on Veterans' Affairs or their sub-
16 committees: *Provided further*, That the preceding shall not
17 apply to printed hearings released by the Committees on
18 Appropriations or the Committees on Veterans' Affairs:
19 *Provided further*, That none of the funds appropriated in
20 this Act may be available to pay the salary or expenses
21 of any employee of the Office of Management and Budget
22 who, after February 15, 2003, calculates, prepares, or ap-
23 proves any tabular or other material that proposes the
24 sub-allocation of budget authority or outlays by the Com-
25 mittees on Appropriations among their subcommittees.

1 ELECTRONIC GOVERNMENT FUND
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses in support of interagency
4 projects that enable the Federal Government to expand
5 its ability to conduct activities electronically, through the
6 development and implementation of innovative uses of the
7 Internet and other electronic methods \$5,000,000 to re-
8 main available until expended: *Provided*, That these funds
9 may be transferred to Federal agencies to carry out the
10 purposes of the Fund: *Provided further*, That this transfer
11 authority shall be in addition to any other transfer author-
12 ity provided in this Act: *Provided further*, That such trans-
13 fers may not be made until 10 days after a proposed
14 spending plan and justification for each project to be un-
15 dertaken has been submitted to the Committees on Appro-
16 priations.

17 ELECTION ADMINISTRATION REFORM AND
18 RELATED EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for the implementation of
21 election administration reform, and related expenses,
22 \$200,000,000, to remain available until expended: *Pro-*
23 *vided*, That such amount shall not be available for obliga-
24 tion until the enactment of legislation that establishes pro-
25 grams for improving the administration of elections: *Pro-*

1 *vided further*, That, upon the enactment of such legisla-
2 tion, the Director of the Office of Management and Budg-
3 et shall transfer the specific amounts authorized, for the
4 purposes designated, to the Federal entities specified by
5 such legislation, and according to the provisions estab-
6 lished in H.R. 3295, as passed by the House of Represent-
7 atives on December 12, 2001: *Provided further*, That,
8 within 15 days of such transfers, the Director of the Office
9 of Management and Budget shall notify the Congress of
10 the amounts transferred to each authorized Federal entity:
11 *Provided further*, That the entities to which the amounts
12 are transferred shall use the amounts to carry out the ap-
13 plicable provisions of such legislation: *Provided further*,
14 That the transfer authority provided in this paragraph
15 shall be in addition to any other transfer authority pro-
16 vided in this or any other Act: *Provided further*, That the
17 Federal entities referred to in the second proviso shall es-
18 tablish a program under which the entity shall make a
19 one-time payment to the chief election authority of each
20 State which, on a Statewide basis, obtained optical scan
21 or electronic voting equipment for the administration of
22 elections for Federal office in the State prior to the regu-
23 larly scheduled general election for Federal office held in
24 November 2000: *Provided further*, That the amount of the
25 payment made with respect to a State under the program

1 under the previous proviso shall be equal to the costs in-
2 curred by the State in obtaining the optical scan or elec-
3 tronic voting equipment used to administer the most re-
4 cent regularly scheduled general election for Federal office
5 in the State, except that in no case may the amount of
6 the payment exceed \$6,000 per voting precinct in the
7 State at the time of the election: *Provided further*, That
8 total payments made under the program under the sixth
9 proviso shall not exceed \$23,000,000.

10 OFFICE OF NATIONAL DRUG CONTROL POLICY

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of National
14 Drug Control Policy; for research activities pursuant to
15 the Office of National Drug Control Policy Reauthoriza-
16 tion Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed
17 \$10,000 for official reception and representation expenses;
18 and for participation in joint projects or in the provision
19 of services on matters of mutual interest with nonprofit,
20 research, or public organizations or agencies, with or with-
21 out reimbursement, \$24,458,000; of which \$2,350,000
22 shall remain available until expended, consisting of
23 \$1,350,000 for policy research and evaluation, and
24 \$1,000,000 for the National Alliance for Model State
25 Drug Laws: *Provided*, That the Office is authorized to ac-

1 cept, hold, administer, and utilize gifts, both real and per-
2 sonal, public and private, without fiscal year limitation,
3 for the purpose of aiding or facilitating the work of the
4 Office: *Provided further*, That \$5,000,000 of these funds
5 shall not be obligated until the Director submits perform-
6 ance measures of effectiveness for the High Intensity
7 Drug Trafficking Areas program to the House Committee
8 on Appropriations: *Provided further*, That none of the
9 funds appropriated shall be used to submit a fiscal year
10 2004 budget request that is not supported by performance
11 measures of effectiveness data, including supporting jus-
12 tifications for each High Intensity Drug Trafficking Area
13 and an optimal spending allocation based on the same
14 measures.

15 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for the Counterdrug Tech-
18 nology Assessment Center for research activities pursuant
19 to the Office of National Drug Control Policy Reauthor-
20 ization Act of 1998 (21 U.S.C. 1701 et seq.),
21 \$55,800,000, which shall remain available until expended,
22 consisting of \$26,064,000 for counternarcotics research
23 and development projects, and \$29,736,000 for the contin-
24 ued operation of the technology transfer program: *Pro-*
25 *vided*, That the \$26,064,000 for counternarcotics research

1 and development projects shall be available for transfer
2 to other Federal departments or agencies.

3 FEDERAL DRUG CONTROL PROGRAMS

4 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Office of National
7 Drug Control Policy's High Intensity Drug Trafficking
8 Areas Program, \$246,350,000, for drug control activities
9 consistent with the approved strategy for each of the des-
10 ignated High Intensity Drug Trafficking Areas, of which
11 no less than 51 percent shall be transferred to State and
12 local entities for drug control activities, which shall be ob-
13 ligated within 120 days of the date of the enactment of
14 this Act: *Provided*, That up to 49 percent, to remain avail-
15 able until September 30, 2004, may be transferred to Fed-
16 eral agencies and departments at a rate to be determined
17 by the Director, of which not less than \$2,100,000 shall
18 be used for auditing services and associated activities, and
19 at least \$500,000 of the \$2,100,000 shall be used to de-
20 velop and implement a data collection system to measure
21 the performance of the High Intensity Drug Trafficking
22 Areas Program: *Provided further*, That High Intensity
23 Drug Trafficking Areas Programs designated as of Sep-
24 tember 30, 2002, shall be funded at no less than fiscal
25 year 2002 levels unless the Director submits to the Com-

1 mittees on Appropriations, and the Committees approve,
2 justification for changes in those levels based on clearly
3 articulated priorities for the High Intensity Drug Traf-
4 ficking Areas Programs, as well as published Office of Na-
5 tional Drug Control Policy performance measures of effec-
6 tiveness.

7 SPECIAL FORFEITURE FUND

8 (INCLUDING TRANSFER OF FUNDS)

9 For activities to support a national anti-drug cam-
10 paign for youth, and for other purposes, authorized by the
11 Office of National Drug Control Policy Reauthorization
12 Act of 1998 (21 U.S.C. 1701 et seq.), \$240,800,000, to
13 remain available until expended, of which the following
14 amounts are available as follows: \$170,000,000 to support
15 a national media campaign, as authorized by the Drug-
16 Free Media Campaign Act of 1998, including no less than
17 \$150,000,000 for media buys; \$60,000,000 for a program
18 of assistance and matching grants to local coalitions and
19 other activities, as authorized in chapter 2 of the National
20 Narcotic Leadership Act of 1988; \$6,000,000 for the
21 Counterdrug Intelligence Executive Secretariat;
22 \$2,000,000 for evaluations and research related to Na-
23 tional Drug Control Program performance measures;
24 \$1,000,000 for the National Drug Court Institute;
25 \$1,000,000 for the United States Anti-Doping Agency for

1 anti-doping activities; and \$800,000 for the United States
2 membership dues to the World Anti-Doping Agency: *Pro-*
3 *vided*, That such funds may be transferred to other Fed-
4 eral departments and agencies to carry out such activities.

5 UNANTICIPATED NEEDS

6 For expenses necessary to enable the President to
7 meet unanticipated needs, in furtherance of the national
8 interest, security, or defense which may arise at home or
9 abroad during the current fiscal year, as authorized by
10 3 U.S.C. 108, \$1,000,000.

11 This title may be cited as the “Executive Office Ap-
12 propriations Act, 2003”.

13 TITLE IV—INDEPENDENT AGENCIES

14 COMMITTEE FOR PURCHASE FROM PEOPLE

15 WHO ARE BLIND OR SEVERELY DISABLED

16 SALARIES AND EXPENSES

17 For necessary expenses of the Committee for Pur-
18 chase From People Who Are Blind or Severely Disabled
19 established by Public Law 92–28, \$4,629,000.

20 FEDERAL ELECTION COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses to carry out the provisions
23 of the Federal Election Campaign Act of 1971,
24 \$49,426,000, of which no less than \$5,866,700 shall be
25 available for internal automated data processing systems,

1 and of which not to exceed \$5,000 shall be available for
2 reception and representation expenses.

3 FEDERAL LABOR RELATIONS AUTHORITY

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Federal Labor Relations Authority, pursuant to Reorga-
7 nization Plan Numbered 2 of 1978, and the Civil Service
8 Reform Act of 1978, including services authorized by 5
9 U.S.C. 3109, and including hire of experts and consult-
10 ants, hire of passenger motor vehicles, and rental of con-
11 ference rooms in the District of Columbia and elsewhere,
12 \$28,677,000: *Provided*, That public members of the Fed-
13 eral Service Impasses Panel may be paid travel expenses
14 and per diem in lieu of subsistence as authorized by law
15 (5 U.S.C. 5703) for persons employed intermittently in
16 the Government service, and compensation as authorized
17 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
18 31 U.S.C. 3302, funds received from fees charged to non-
19 Federal participants at labor-management relations con-
20 ferences shall be credited to and merged with this account,
21 to be available without further appropriation for the costs
22 of carrying out these conferences.

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 (INCLUDING TRANSFER OF FUNDS)

6 For an additional amount to be deposited in, and to
7 be used for the purposes of, the Fund established pursu-
8 ant to section 210(f) of the Federal Property and Admin-
9 istrative Services Act of 1949 (40 U.S.C. 490(f)),
10 \$325,711,000. The revenues and collections deposited into
11 the Fund shall be available for necessary expenses of real
12 property management and related activities not otherwise
13 provided for, including operation, maintenance, and pro-
14 tection of federally owned and leased buildings; rental of
15 buildings in the District of Columbia; restoration of leased
16 premises; moving governmental agencies (including space
17 adjustments and telecommunications relocation expenses)
18 in connection with the assignment, allocation and transfer
19 of space; contractual services incident to cleaning or serv-
20 icing buildings, and moving; repair and alteration of feder-
21 ally owned buildings including grounds, approaches and
22 appurtenances; care and safeguarding of sites; mainte-
23 nance, preservation, demolition, and equipment; acquisi-
24 tion of buildings and sites by purchase, condemnation, or
25 as otherwise authorized by law; acquisition of options to
26 purchase buildings and sites; conversion and extension of

1 federally owned buildings; preliminary planning and de-
2 sign of projects by contract or otherwise; construction of
3 new buildings (including equipment for such buildings);
4 and payment of principal, interest, and any other obliga-
5 tions for public buildings acquired by installment purchase
6 and purchase contract; in the aggregate amount of
7 \$6,961,930,000, of which: (1) \$646,385,000 shall remain
8 available until expended for construction (including funds
9 for sites and expenses and associated design and construc-
10 tion services) of additional projects at the following loca-
11 tions:

12 New Construction:

13 Arkansas:

14 Little Rock, United States Courthouse Annex,
15 \$77,154,000

16 California:

17 San Diego, United States Courthouse Annex,
18 \$23,901,000

19 District of Columbia:

20 Washington, Southeast Federal Center Site Re-
21 mediation, \$6,472,000

22 Florida:

23 Fort Pierce, United States Courthouse,
24 \$2,744,000

25 Iowa:

1 Cedar Rapids, United States Courthouse,
2 \$5,167,000

3 Maine:
4 Jackman, Border Station, \$9,194,000

5 Maryland:
6 Montgomery County, FDA consolidation,
7 \$45,500,000

8 Suitland, National Oceanic and Atmospheric
9 Administration II, \$9,461,000

10 Suitland, United States Census Bureau,
11 \$176,919,000

12 Mississippi:
13 Jackson, United States Courthouse, \$7,276,000

14 Missouri:
15 Cape Girardeau, United States Courthouse,
16 \$49,311,000

17 Montana:
18 Raymond, Border Station, \$7,753,000

19 New York:
20 Brooklyn, United States Courthouse Annex—
21 GPO, \$39,500,000

22 Champlain, Border Station, \$5,000,000

23 Massena, Border Station, \$1,646,000

24 New York, U.S. Mission to the United Nations,
25 \$57,053,000

1 North Dakota:

2 Portal, Border Station, \$2,201,000

3 Oregon:

4 Eugene, United States Courthouse,
5 \$77,374,000

6 Tennessee:

7 Nashville, United States Courthouse,
8 \$7,095,000

9 Texas:

10 Austin, United States Courthouse, \$13,809,000

11 Utah:

12 Salt Lake City, United States Courthouse,
13 \$6,018,000

14 Washington:

15 Oroville, Border Station, \$6,572,000

16 Nationwide:

17 Judgment Fund Repayment, \$3,012,000

18 Nonprospectus Construction, \$6,253,000:

19 *Provided*, That funding for any project identified above
20 may be exceeded to the extent that savings are effected
21 in other such projects, but not to exceed 10 percent of
22 the amounts included in an approved prospectus, if re-
23 quired, unless advance approval is obtained from the Com-
24 mittees on Appropriations of a greater amount: *Provided*
25 *further*, That all funds for direct construction projects

1 shall expire on September 30, 2004, and remain in the
2 Federal Buildings Fund except for funds for projects as
3 to which funds for design or other funds have been obli-
4 gated in whole or in part prior to such date; (2)
5 \$978,529,000 shall remain available until expended for re-
6 pairs and alterations which includes associated design and
7 construction services: *Provided further*, That funds in the
8 Federal Buildings Fund for Repairs and Alterations shall,
9 for prospectus projects, be limited to the amount by
10 project, as follows, except each project may be increased
11 by an amount not to exceed 10 percent unless advance
12 approval is obtained from the Committees on Appropria-
13 tions of a greater amount:

14 Repairs and Alterations:

15 California:

16 Los Angeles, Federal Building, 300 North Los
17 Angeles Street, \$93,166,000

18 San Francisco, Appraisers Building,
19 \$20,283,000

20 Tecate, Tecate U.S. Border Station,
21 \$5,709,000

22 Connecticut:

23 New Haven, Robert N. Gaimo Federal Build-
24 ing, \$18,507,000

25 District of Columbia:

1 Federal Office Building 10A Garage,
2 \$5,454,000
3 Harry S Truman Building (State), \$29,443,000
4 Illinois:
5 Chicago, U.S. Custom House, \$9,000,000
6 Iowa:
7 Davenport, Federal Building and U.S. Court-
8 house, \$12,586,000
9 Maryland:
10 Baltimore, Metro West, \$6,162,000
11 Woodlawn, Operations Building, \$96,905,000
12 Massachusetts:
13 Boston, John F. Kennedy Federal Building
14 Plaza, \$3,271,000
15 Missouri:
16 Kansas City, Bannister Federal Complex,
17 Building 1, \$16,130,000
18 Kansas City, Bannister Federal Complex,
19 Building 2, \$3,148,000
20 New Hampshire:
21 Manchester, Norris Cotton Federal Building,
22 \$17,668,000
23 Portsmouth, Thomas J. McIntyre Federal
24 Building, \$11,149,000
25 New York:

1 New York, Jacob K. Javits Federal Building,
2 \$7,568,000

3 Ohio:

4 Cleveland, Howard M. Metzenbaum U.S. Court-
5 house, \$15,212,000

6 Pennsylvania:

7 Pittsburgh, William S. Moorhead Federal
8 Building, \$68,793,000

9 Texas:

10 Dallas, Earle Cabell Federal Building—Court-
11 house and Santa Fe Federal Building, \$16,394,000

12 Fort Worth, Fritz Garland Lanham Federal
13 Building, \$15,249,000

14 Washington:

15 Seattle, Henry M. Jackson Federal Building,
16 \$26,832,000

17 Nationwide:

18 Chlorofluorocarbons Program, \$8,000,000

19 Design Program, \$45,027,000

20 Elevator Program, \$21,533,000

21 Energy Program, \$8,000,000

22 Glass Fragmentation Program, \$20,000,000

23 Terrorism, \$10,000,000

24 Basic Repairs and Alterations, \$367,340,000:

1 *Provided further*, That additional projects for which
2 prospectuses have been fully approved may be funded
3 under this category only if advance approval is obtained
4 from the Committees on Appropriations: *Provided further*,
5 That the amounts provided in this or any prior Act for
6 “Repairs and Alterations” may be used to fund costs asso-
7 ciated with implementing security improvements to build-
8 ings necessary to meet the minimum standards for secu-
9 rity in accordance with current law and in compliance with
10 the reprogramming guidelines of the appropriate Commit-
11 tees of the House and Senate: *Provided further*, That the
12 difference between the funds appropriated and expended
13 on any projects in this or any prior Act, under the heading
14 “Repairs and Alterations”, may be transferred to Basic
15 Repairs and Alterations or used to fund authorized in-
16 creases in prospectus projects: *Provided further*, That all
17 funds for repairs and alterations prospectus projects shall
18 expire on September 30, 2004, and remain in the Federal
19 Buildings Fund except funds for projects as to which
20 funds for design or other funds have been obligated in
21 whole or in part prior to such date: *Provided further*, That
22 the amount provided in this or any prior Act for Basic
23 Repairs and Alterations may be used to pay claims against
24 the Government arising from any projects under the head-
25 ing “Repairs and Alterations” or used to fund authorized

1 increases in prospectus projects; (3) \$178,960,000 for in-
2 stallment acquisition payments including payments on
3 purchase contracts which shall remain available until ex-
4 pended; (4) \$3,153,211,000 for rental of space which shall
5 remain available until expended; and (5) \$1,925,160,000
6 for building operations which shall remain available until
7 expended: *Provided further*, That funds available to the
8 General Services Administration shall not be available for
9 expenses of any construction, repair, alteration and acqui-
10 sition project for which a prospectus, if required by the
11 Public Buildings Act of 1959, has not been approved, ex-
12 cept that necessary funds may be expended for each
13 project for required expenses for the development of a pro-
14 posed prospectus: *Provided further*, That funds available
15 in the Federal Buildings Fund may be expended for emer-
16 gency repairs when advance approval is obtained from the
17 Committees on Appropriations: *Provided further*, That
18 amounts necessary to provide reimbursable special services
19 to other agencies under section 210(f)(6) of the Federal
20 Property and Administrative Services Act of 1949 (40
21 U.S.C. 490(f)(6)) and amounts to provide such reimburs-
22 able fencing, lighting, guard booths, and other facilities
23 on private or other property not in Government ownership
24 or control as may be appropriate to enable the United
25 States Secret Service to perform its protective functions

1 pursuant to 18 U.S.C. 3056, shall be available from such
2 revenues and collections: *Provided further*, That revenues
3 and collections and any other sums accruing to this Fund
4 during fiscal year 2003, excluding reimbursements under
5 section 210(f)(6) of the Federal Property and Administra-
6 tive Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess
7 of \$6,961,930,000 shall remain in the Fund and shall not
8 be available for expenditure except as authorized in appro-
9 priations Acts.

10 GENERAL ACTIVITIES

11 POLICY AND CITIZEN SERVICES

12 For expenses authorized by law, not otherwise pro-
13 vided for, for Government-wide policy and evaluation ac-
14 tivities associated with the management of real and per-
15 sonal property assets and certain administrative services;
16 Government-wide policy support responsibilities relating to
17 acquisition, telecommunications, information technology
18 management, and related technology activities; providing
19 Internet access to Federal information and services; and
20 services as authorized by 5 U.S.C. 3109, \$65,995,000.

21 OPERATING EXPENSES

22 For expenses authorized by law, not otherwise pro-
23 vided for, for Government-wide activities associated with
24 utilization and donation of surplus personal property; dis-
25 posal of real property; telecommunications, information

1 technology management, and related technology activities;
2 agency-wide policy direction and management, and Board
3 of Contract Appeals; accounting, records management,
4 and other support services incident to adjudication of In-
5 dian Tribal Claims by the United States Court of Federal
6 Claims; services as authorized by 5 U.S.C. 3109; and not
7 to exceed \$7,500 for official reception and representation
8 expenses, \$77,904,000, of which \$17,463,000 shall remain
9 available until expended.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General and services authorized by 5 U.S.C. 3109,
13 \$37,617,000: *Provided*, That not to exceed \$15,000 shall
14 be available for payment for information and detection of
15 fraud against the Government, including payment for re-
16 covery of stolen Government property: *Provided further*,
17 That not to exceed \$2,500 shall be available for awards
18 to employees of other Federal agencies and private citizens
19 in recognition of efforts and initiatives resulting in en-
20 hanced Office of Inspector General effectiveness.

21 ALLOWANCES AND OFFICE STAFF FOR FORMER

22 PRESIDENTS

23 (INCLUDING TRANSFER OF FUNDS)

24 For carrying out the provisions of the Act of August
25 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,

1 \$3,339,000: *Provided*, That the Administrator of General
2 Services shall transfer to the Secretary of the Treasury
3 such sums as may be necessary to carry out the provisions
4 of such Acts.

5 GENERAL SERVICES ADMINISTRATION—

6 GENERAL PROVISIONS

7 SEC. 401. The appropriate appropriation or fund
8 available to the General Services Administration shall be
9 credited with the cost of operation, protection, mainte-
10 nance, upkeep, repair, and improvement, included as part
11 of rentals received from Government corporations pursu-
12 ant to law (40 U.S.C. 129).

13 SEC. 402. Funds available to the General Services
14 Administration shall be available for the hire of passenger
15 motor vehicles.

16 SEC. 403. Funds in the Federal Buildings Fund
17 made available for fiscal year 2003 for Federal Buildings
18 Fund activities may be transferred between such activities
19 only to the extent necessary to meet program require-
20 ments: *Provided*, That any proposed transfers shall be ap-
21 proved in advance by the Committees on Appropriations.

22 SEC. 404. No funds made available by this Act shall
23 be used to transmit a fiscal year 2004 request for United
24 States Courthouse construction that: (1) does not meet
25 the design guide standards for construction as established

1 and approved by the General Services Administration, the
2 Judicial Conference of the United States, and the Office
3 of Management and Budget; and (2) does not reflect the
4 priorities of the Judicial Conference of the United States
5 as set out in its approved 5-year construction plan: *Pro-*
6 *vided*, That the fiscal year 2004 request must be accom-
7 panied by a standardized courtroom utilization study of
8 each facility to be constructed, replaced, or expanded.

9 SEC. 405. None of the funds provided in this Act may
10 be used to increase the amount of occupiable square feet,
11 provide cleaning services, security enhancements, or any
12 other service usually provided through the Federal Build-
13 ings Fund, to any agency that does not pay the rate per
14 square foot assessment for space and services as deter-
15 mined by the General Services Administration in compli-
16 ance with the Public Buildings Amendments Act of 1972
17 (Public Law 92–313).

18 SEC. 406. Funds provided to other Government agen-
19 cies by the Information Technology Fund, General Serv-
20 ices Administration, under section 110 of the Federal
21 Property and Administrative Services Act of 1949 (40
22 U.S.C. 757) and sections 5124(b) and 5128 of the
23 Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428),
24 for performance of pilot information technology projects
25 which have potential for Government-wide benefits and

1 savings, may be repaid to this Fund from any savings ac-
2 tually incurred by these projects or other funding, to the
3 extent feasible.

4 SEC. 407. From funds made available under the
5 heading "Federal Buildings Fund, Limitations on Avail-
6 ability of Revenue", claims against the Government of less
7 than \$250,000 arising from direct construction projects
8 and acquisition of buildings may be liquidated from sav-
9 ings effected in other construction projects with prior noti-
10 fication to the Committees on Appropriations.

11 MERIT SYSTEMS PROTECTION BOARD

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses to carry out functions of the
15 Merit Systems Protection Board pursuant to Reorganiza-
16 tion Plan Numbered 2 of 1978 and the Civil Service Re-
17 form Act of 1978, including services as authorized by 5
18 U.S.C. 3109, rental of conference rooms in the District
19 of Columbia and elsewhere, hire of passenger motor vehi-
20 cles, and direct procurement of survey printing,
21 \$31,788,000 together with not to exceed \$2,594,000 for
22 administrative expenses to adjudicate retirement appeals
23 to be transferred from the Civil Service Retirement and
24 Disability Fund in amounts determined by the Merit Sys-
25 tems Protection Board.

1 MORRIS K. UDALL SCHOLARSHIP AND EXCEL-
2 LENCE IN NATIONAL ENVIRONMENTAL
3 POLICY FOUNDATION

4 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN
5 NATIONAL ENVIRONMENTAL POLICY TRUST FUND

6 For payment to the Morris K. Udall Scholarship and
7 Excellence in National Environmental Policy Trust Fund,
8 pursuant to the Morris K. Udall Scholarship and Excel-
9 lence in National Environmental and Native American
10 Public Policy Act of 1992 (20 U.S.C. 5601 et seq.),
11 \$1,996,000 to remain available until expended: *Provided*,
12 That up to 60 percent of such funds may be transferred
13 by the Morris K. Udall Scholarship and Excellence in Na-
14 tional Environmental Policy Foundation for the necessary
15 expenses of the Native Nations Institute.

16 ENVIRONMENTAL DISPUTE RESOLUTION FUND

17 For payment to the Environmental Dispute Resolu-
18 tion Fund to carry out activities authorized in the Envi-
19 ronmental Policy and Conflict Resolution Act of 1998,
20 \$1,309,000, to remain available until expended.

21 NATIONAL ARCHIVES AND RECORDS

22 ADMINISTRATION

23 OPERATING EXPENSES

24 For necessary expenses in connection with the admin-
25 istration of the National Archives (including the Informa-

1 tion Security Oversight Office) and archived Federal
2 records and related activities, as provided by law, and for
3 expenses necessary for the review and declassification of
4 documents, and for the hire of passenger motor vehicles,
5 \$249,731,000: *Provided*, That the Archivist of the United
6 States is authorized to use any excess funds available from
7 the amount borrowed for construction of the National Ar-
8 chives facility, for expenses necessary to provide adequate
9 storage for holdings: *Provided further*, That of the funds
10 made available, \$11,837,000 is for the electronic records
11 archive, \$10,137,000 of which shall be available until Sep-
12 tember 30, 2005.

13 REPAIRS AND RESTORATION

14 For the repair, alteration, and improvement of ar-
15 chives facilities, and to provide adequate storage for hold-
16 ings, \$10,458,000, to remain available until expended, of
17 which \$1,250,000 is for the Military Personnel Records
18 Center preliminary design studies, and \$3,250,000 is for
19 repairs to the Lyndon Baines Johnson Presidential Library
20 Plaza.

21 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

22 COMMISSION

23 GRANTS PROGRAM

24 For necessary expenses for allocations and grants for
25 historical publications and records as authorized by 44

1 U.S.C. 2504, \$7,000,000, to remain available until ex-
2 pended.

3 OFFICE OF GOVERNMENT ETHICS

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Government Ethics pursuant to the Ethics in
7 Government Act of 1978 and the Ethics Reform Act of
8 1989, including services as authorized by 5 U.S.C. 3109,
9 rental of conference rooms in the District of Columbia and
10 elsewhere, hire of passenger motor vehicles, and not to ex-
11 ceed \$1,500 for official reception and representation ex-
12 penses, \$10,486,000.

13 OFFICE OF PERSONNEL MANAGEMENT

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF TRUST FUNDS)

16 For necessary expenses to carry out functions of the
17 Office of Personnel Management pursuant to Reorganiza-
18 tion Plan Numbered 2 of 1978 and the Civil Service Re-
19 form Act of 1978, including services as authorized by 5
20 U.S.C. 3109; medical examinations performed for veterans
21 by private physicians on a fee basis; rental of conference
22 rooms in the District of Columbia and elsewhere; hire of
23 passenger motor vehicles; not to exceed \$2,500 for official
24 reception and representation expenses; advances for reim-
25 bursements to applicable funds of the Office of Personnel

1 Management and the Federal Bureau of Investigation for
2 expenses incurred under Executive Order No. 10422 of
3 January 9, 1953; and payment of per diem and/or subsist-
4 ence allowances to employees where Voting Rights Act ac-
5 tivities require an employee to remain overnight at his or
6 her post of duty, \$128,986,000, of which \$24,000,000
7 shall remain available until expended for the cost of the
8 government-wide human resources data network project,
9 and \$2,500,000 shall remain available until expended for
10 the cost of leading the government-wide initiative to mod-
11 ernize Federal payroll systems and service delivery; and
12 in addition \$120,791,000 for administrative expenses, to
13 be transferred from the appropriate trust funds of the Of-
14 fice of Personnel Management without regard to other
15 statutes, including direct procurement of printed mate-
16 rials, for the retirement and insurance programs, of which
17 \$27,640,000 shall remain available until expended for the
18 cost of automating the retirement recordkeeping systems:
19 *Provided*, That the provisions of this appropriation shall
20 not affect the authority to use applicable trust funds as
21 provided by sections 8348(a)(1)(B), 8909(g), and
22 9004(f)(1)(A) and (2)(A) of title 5, United States Code:
23 *Provided further*, That no part of this appropriation shall
24 be available for salaries and expenses of the Legal Exam-
25 ining Unit of the Office of Personnel Management estab-

1 lished pursuant to Executive Order No. 9358 of July 1,
2 1943, or any successor unit of like purpose: *Provided fur-*
3 *ther*, That the President's Commission on White House
4 Fellows, established by Executive Order No. 11183 of Oc-
5 tober 3, 1964, may, during fiscal year 2003, accept dona-
6 tions of money, property, and personal services in connec-
7 tion with the development of a publicity brochure to pro-
8 vide information about the White House Fellows, except
9 that no such donations shall be accepted for travel or re-
10 imbursement of travel expenses, or for the salaries of em-
11 ployees of such Commission.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Act, including services as authorized by 5 U.S.C.
18 3109, hire of passenger motor vehicles, \$1,498,000; and
19 in addition, not to exceed \$10,766,000 for administrative
20 expenses to audit, investigate, and provide other oversight
21 of the Office of Personnel Management's retirement and
22 insurance programs, to be transferred from the appro-
23 priate trust funds of the Office of Personnel Management,
24 as determined by the Inspector General: *Provided*, That
25 the Inspector General is authorized to rent conference
26 rooms in the District of Columbia and elsewhere.

1 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
2 HEALTH BENEFITS

3 For payment of Government contributions with re-
4 spect to retired employees, as authorized by chapter 89
5 of title 5, United States Code, and the Retired Federal
6 Employees Health Benefits Act (74 Stat. 849), such sums
7 as may be necessary.

8 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
9 LIFE INSURANCE

10 For payment of Government contributions with re-
11 spect to employees retiring after December 31, 1989, as
12 required by chapter 87 of title 5, United States Code, such
13 sums as may be necessary.

14 PAYMENT TO CIVIL SERVICE RETIREMENT AND
15 DISABILITY FUND

16 For financing the unfunded liability of new and in-
17 creased annuity benefits becoming effective on or after Oc-
18 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
19 nuities under special Acts to be credited to the Civil Serv-
20 ice Retirement and Disability Fund, such sums as may
21 be necessary: *Provided*, That annuities authorized by the
22 Act of May 29, 1944, and the Act of August 19, 1950
23 (33 U.S.C. 771–775), may hereafter be paid out of the
24 Civil Service Retirement and Disability Fund.

1 OFFICE OF SPECIAL COUNSEL

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Special Counsel pursuant to Reorganization Plan
5 Numbered 2 of 1978, the Civil Service Reform Act of
6 1978 (Public Law 95-454), the Whistleblower Protection
7 Act of 1989 (Public Law 101-12), Public Law 103-424,
8 and the Uniformed Services Employment and Reemploy-
9 ment Act of 1994 (Public Law 103-353), including serv-
10 ices as authorized by 5 U.S.C. 3109, payment of fees and
11 expenses for witnesses, rental of conference rooms in the
12 District of Columbia and elsewhere, and hire of passenger
13 motor vehicles; \$12,432,000.

14 UNITED STATES TAX COURT

15 SALARIES AND EXPENSES

16 For necessary expenses, including contract reporting
17 and other services as authorized by 5 U.S.C. 3109,
18 \$37,305,000: *Provided*, That travel expenses of the judges
19 shall be paid upon the written certificate of the judge.

20 WHITE HOUSE COMMISSION ON THE NATIONAL

21 MOMENT OF REMEMBRANCE

22 For necessary expenses of the White House Commis-
23 sion on the National Moment of Remembrance, as author-
24 ized by Public Law 106-579, \$250,000.

1 This title may be cited as the “Independent Agencies
2 Appropriations Act, 2003”.

3 TITLE V—GENERAL PROVISIONS

4 THIS ACT

5 SEC. 501. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 502. The expenditure of any appropriation
9 under this Act for any consulting service through procure-
10 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
11 to those contracts where such expenditures are a matter
12 of public record and available for public inspection, except
13 where otherwise provided under existing law, or under ex-
14 isting Executive order issued pursuant to existing law.

15 SEC. 503. None of the funds made available by this
16 Act shall be available for any activity or for paying the
17 salary of any Government employee where funding an ac-
18 tivity or paying a salary to a Government employee would
19 result in a decision, determination, rule, regulation, or pol-
20 icy that would prohibit the enforcement of section 307 of
21 the Tariff Act of 1930.

22 SEC. 504. None of the funds made available by this
23 Act shall be available for the purpose of transferring con-
24 trol over the Federal Law Enforcement Training Center

1 located at Glynco, Georgia, and Artesia, New Mexico, out
2 of the Department of the Treasury.

3 SEC. 505. No part of any appropriation contained in
4 this Act shall be available to pay the salary for any person
5 filling a position, other than a temporary position, for-
6 merly held by an employee who has left to enter the Armed
7 Forces of the United States and has satisfactorily com-
8 pleted his period of active military or naval service, and
9 has within 90 days after his release from such service or
10 from hospitalization continuing after discharge for a pe-
11 riod of not more than 1 year, made application for restora-
12 tion to his former position and has been certified by the
13 Office of Personnel Management as still qualified to per-
14 form the duties of his former position and has not been
15 restored thereto.

16 SEC. 506. No funds appropriated pursuant to this
17 Act may be expended by an entity unless the entity agrees
18 that in expending the assistance the entity will comply
19 with sections 2 through 4 of the Buy American Act (41
20 U.S.C. 10a–10c).

21 SEC. 507. (a) PURCHASE OF AMERICAN-MADE
22 EQUIPMENT AND PRODUCTS.—In the case of any equip-
23 ment or products that may be authorized to be purchased
24 with financial assistance provided under this Act, it is the
25 sense of the Congress that entities receiving such assist-

1 ance should, in expending the assistance, purchase only
2 American-made equipment and products.

3 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
4 providing financial assistance under this Act, the Sec-
5 retary of the Treasury shall provide to each recipient of
6 the assistance a notice describing the statement made in
7 subsection (a) by the Congress.

8 SEC. 508. If it has been finally determined by a court
9 or Federal agency that any person intentionally affixed a
10 label bearing a “Made in America” inscription, or any in-
11 scription with the same meaning, to any product sold in
12 or shipped to the United States that is not made in the
13 United States, such person shall be ineligible to receive
14 any contract or subcontract made with funds provided
15 pursuant to this Act, pursuant to the debarment, suspen-
16 sion, and ineligibility procedures described in sections
17 9.400 through 9.409 of title 48, Code of Federal Regula-
18 tions.

19 SEC. 509. No funds appropriated by this Act shall
20 be available to pay for an abortion, or the administrative
21 expenses in connection with any health plan under the
22 Federal employees health benefit program which provides
23 any benefits or coverage for abortions.

24 SEC. 510. The provision of section 509 shall not
25 apply where the life of the mother would be endangered

1 if the fetus were carried to term, or the pregnancy is the
2 result of an act of rape or incest.

3 SEC. 511. Except as otherwise specifically provided
4 by law, not to exceed 50 percent of unobligated balances
5 remaining available at the end of fiscal year 2002 from
6 appropriations made available for salaries and expenses
7 for fiscal year 2002 in this Act, shall remain available
8 through September 30, 2003, for each such account for
9 the purposes authorized: *Provided*, That a request shall
10 be submitted to the Committees on Appropriations for ap-
11 proval prior to the expenditure of such funds: *Provided*
12 *further*, That these requests shall be made in compliance
13 with reprogramming guidelines.

14 SEC. 512. None of the funds made available in this
15 Act may be used by the Executive Office of the President
16 to request from the Federal Bureau of Investigation any
17 official background investigation report on any individual,
18 except when—

19 (1) such individual has given his or her express
20 written consent for such request not more than 6
21 months prior to the date of such request and during
22 the same presidential administration; or

23 (2) such request is required due to extraor-
24 dinary circumstances involving national security.

1 SEC. 513. The cost accounting standards promul-
2 gated under section 26 of the Office of Federal Procure-
3 ment Policy Act (Public Law 93–400; 41 U.S.C. 422)
4 shall not apply with respect to a contract under the Fed-
5 eral Employees Health Benefits Program established
6 under chapter 89 of title 5, United States Code.

7 SEC. 514. For the purpose of resolving litigation and
8 implementing any settlement agreements regarding the
9 nonforeign area cost-of-living allowance program, the Of-
10 fice of Personnel Management may accept and utilize
11 (without regard to any restriction on unanticipated travel
12 expenses imposed in an appropriations Act) funds made
13 available to the Office pursuant to court approval.

14 SEC. 515. No funds appropriated or otherwise made
15 available under this Act shall be made available to any
16 person or entity that has been convicted of violating the
17 Buy American Act (41 U.S.C. 10a–10c).

18 SEC. 516. None of the funds made available in this
19 Act may be transferred to any department, agency, or in-
20 strumentality of the United States Government, except
21 pursuant to a transfer made by, or transfer authority pro-
22 vided in, this Act or any other appropriations Act.

1 TITLE VI—GENERAL PROVISIONS

2 DEPARTMENTS, AGENCIES, AND CORPORATIONS

3 SEC. 601. Funds appropriated in this or any other
4 Act may be used to pay travel to the United States for
5 the immediate family of employees serving abroad in cases
6 of death or life threatening illness of said employee.

7 SEC. 602. No department, agency, or instrumentality
8 of the United States receiving appropriated funds under
9 this or any other Act for fiscal year 2003 shall obligate
10 or expend any such funds, unless such department, agen-
11 cy, or instrumentality has in place, and will continue to
12 administer in good faith, a written policy designed to en-
13 sure that all of its workplaces are free from the illegal
14 use, possession, or distribution of controlled substances
15 (as defined in the Controlled Substances Act) by the offi-
16 cers and employees of such department, agency, or instru-
17 mentality.

18 SEC. 603. Unless otherwise specifically provided, the
19 maximum amount allowable during the current fiscal year
20 in accordance with section 16 of the Act of August 2, 1946
21 (60 Stat. 810), for the purchase of any passenger motor
22 vehicle (exclusive of buses, ambulances, law enforcement,
23 and undercover surveillance vehicles), is hereby fixed at
24 \$8,100 except station wagons for which the maximum
25 shall be \$9,100: *Provided*, That these limits may be ex-

1 ceeded by not to exceed \$3,700 for police-type vehicles,
2 and by not to exceed \$4,000 for special heavy-duty vehi-
3 cles: *Provided further*, That the limits set forth in this sec-
4 tion may not be exceeded by more than 5 percent for elec-
5 tric or hybrid vehicles purchased for demonstration under
6 the provisions of the Electric and Hybrid Vehicle Re-
7 search, Development, and Demonstration Act of 1976:
8 *Provided further*, That the limits set forth in this section
9 may be exceeded by the incremental cost of clean alter-
10 native fuels vehicles acquired pursuant to Public Law
11 101–549 over the cost of comparable conventionally fueled
12 vehicles.

13 SEC. 604. Appropriations of the executive depart-
14 ments and independent establishments for the current fis-
15 cal year available for expenses of travel, or for the ex-
16 penses of the activity concerned, are hereby made available
17 for quarters allowances and cost-of-living allowances, in
18 accordance with 5 U.S.C. 5922–5924.

19 SEC. 605. Unless otherwise specified during the cur-
20 rent fiscal year, no part of any appropriation contained
21 in this or any other Act shall be used to pay the compensa-
22 tion of any officer or employee of the Government of the
23 United States (including any agency the majority of the
24 stock of which is owned by the Government of the United
25 States) whose post of duty is in the continental United

1 States unless such person: (1) is a citizen of the United
2 States; (2) is a person in the service of the United States
3 on the date of the enactment of this Act who, being eligible
4 for citizenship, has filed a declaration of intention to be-
5 come a citizen of the United States prior to such date and
6 is actually residing in the United States; (3) is a person
7 who owes allegiance to the United States; (4) is an alien
8 from Cuba, Poland, South Vietnam, the countries of the
9 former Soviet Union, or the Baltic countries lawfully ad-
10 mitted to the United States for permanent residence; (5)
11 is a South Vietnamese, Cambodian, or Laotian refugee pa-
12 roled in the United States after January 1, 1975; or (6)
13 is a national of the People's Republic of China who quali-
14 fies for adjustment of status pursuant to the Chinese Stu-
15 dent Protection Act of 1992: *Provided*, That for the pur-
16 pose of this section, an affidavit signed by any such person
17 shall be considered prima facie evidence that the require-
18 ments of this section with respect to his or her status have
19 been complied with: *Provided further*, That any person
20 making a false affidavit shall be guilty of a felony, and,
21 upon conviction, shall be fined no more than \$4,000 or
22 imprisoned for not more than 1 year, or both: *Provided*
23 *further*, That the above penal clause shall be in addition
24 to, and not in substitution for, any other provisions of ex-
25 isting law: *Provided further*, That any payment made to

1 any officer or employee contrary to the provisions of this
2 section shall be recoverable in action by the Federal Gov-
3 ernment. This section shall not apply to citizens of Ire-
4 land, Israel, or the Republic of the Philippines, or to na-
5 tionals of those countries allied with the United States in
6 a current defense effort, or to international broadcasters
7 employed by the United States Information Agency, or to
8 temporary employment of translators, or to temporary em-
9 ployment in the field service (not to exceed 60 days) as
10 a result of emergencies.

11 SEC. 606. Appropriations available to any depart-
12 ment or agency during the current fiscal year for nec-
13 essary expenses, including maintenance or operating ex-
14 penses, shall also be available for payment to the General
15 Services Administration for charges for space and services
16 and those expenses of renovation and alteration of build-
17 ings and facilities which constitute public improvements
18 performed in accordance with the Public Buildings Act of
19 1959 (73 Stat. 749), the Public Buildings Amendments
20 of 1972 (87 Stat. 216), or other applicable law.

21 SEC. 607. In addition to funds provided in this or
22 any other Act, all Federal agencies are authorized to re-
23 ceive and use funds resulting from the sale of materials,
24 including Federal records disposed of pursuant to a
25 records schedule recovered through recycling or waste pre-

1 vention programs. Such funds shall be available until ex-
2 pended for the following purposes:

3 (1) Acquisition, waste reduction and prevention,
4 and recycling programs as described in Executive
5 Order No. 13101 (September 14, 1998), including
6 any such programs adopted prior to the effective
7 date of the Executive order.

8 (2) Other Federal agency environmental man-
9 agement programs, including, but not limited to, the
10 development and implementation of hazardous waste
11 management and pollution prevention programs.

12 (3) Other employee programs as authorized by
13 law or as deemed appropriate by the head of the
14 Federal agency.

15 SEC. 608. Funds made available by this or any other
16 Act for administrative expenses in the current fiscal year
17 of the corporations and agencies subject to chapter 91 of
18 title 31, United States Code, shall be available, in addition
19 to objects for which such funds are otherwise available,
20 for rent in the District of Columbia; services in accordance
21 with 5 U.S.C. 3109; and the objects specified under this
22 head, all the provisions of which shall be applicable to the
23 expenditure of such funds unless otherwise specified in the
24 Act by which they are made available: *Provided*, That in
25 the event any functions budgeted as administrative ex-

1 penses are subsequently transferred to or paid from other
2 funds, the limitations on administrative expenses shall be
3 correspondingly reduced.

4 SEC. 609. No part of any appropriation for the cur-
5 rent fiscal year contained in this or any other Act shall
6 be paid to any person for the filling of any position for
7 which he or she has been nominated after the Senate has
8 voted not to approve the nomination of said person.

9 SEC. 610. No part of any appropriation contained in
10 this or any other Act shall be available for interagency
11 financing of boards (except Federal Executive Boards),
12 commissions, councils, committees, or similar groups
13 (whether or not they are interagency entities) which do
14 not have a prior and specific statutory approval to receive
15 financial support from more than one agency or instru-
16 mentality.

17 SEC. 611. Funds made available by this or any other
18 Act to the Postal Service Fund (39 U.S.C. 2003) shall
19 be available for employment of guards for all buildings and
20 areas owned or occupied by the Postal Service and under
21 the charge and control of the Postal Service, and such
22 guards shall have, with respect to such property, the pow-
23 ers of special policemen provided by the first section of
24 the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318),
25 and, as to property owned or occupied by the Postal Serv-

1 ice, the Postmaster General may take the same actions
2 as the Administrator of General Services may take under
3 the provisions of sections 2 and 3 of the Act of June 1,
4 1948 (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching
5 thereto penal consequences under the authority and within
6 the limits provided in section 4 of the Act of June 1, 1948
7 (62 Stat. 281; 40 U.S.C. 318c).

8 SEC. 612. None of the funds made available pursuant
9 to the provisions of this Act shall be used to implement,
10 administer, or enforce any regulation which has been dis-
11 approved pursuant to a resolution of disapproval duly
12 adopted in accordance with the applicable law of the
13 United States.

14 SEC. 613. (a) Notwithstanding any other provision
15 of law, and except as otherwise provided in this section,
16 no part of any of the funds appropriated for fiscal year
17 2003, by this or any other Act, may be used to pay any
18 prevailing rate employee described in section
19 5342(a)(2)(A) of title 5, United States Code—

20 (1) during the period from the date of expira-
21 tion of the limitation imposed by section 613 of the
22 Treasury and General Government Appropriations
23 Act, 2002, until the normal effective date of the ap-
24 plicable wage survey adjustment that is to take ef-
25 fect in fiscal year 2003, in an amount that exceeds

1 the rate payable for the applicable grade and step of
2 the applicable wage schedule in accordance with
3 such section 613; and

4 (2) during the period consisting of the remain-
5 der of fiscal year 2003, in an amount that exceeds,
6 as a result of a wage survey adjustment, the rate
7 payable under paragraph (1) by more than the sum
8 of—

9 (A) the percentage adjustment taking ef-
10 fect in fiscal year 2003 under section 5303 of
11 title 5, United States Code, in the rates of pay
12 under the General Schedule; and

13 (B) the difference between the overall aver-
14 age percentage of the locality-based com-
15 parability payments taking effect in fiscal year
16 2003 under section 5304 of such title (whether
17 by adjustment or otherwise), and the overall av-
18 erage percentage of such payments which was
19 effective in fiscal year 2002 under such section.

20 (b) Notwithstanding any other provision of law, no
21 prevailing rate employee described in subparagraph (B) or
22 (C) of section 5342(a)(2) of title 5, United States Code,
23 and no employee covered by section 5348 of such title,
24 may be paid during the periods for which subsection (a)
25 is in effect at a rate that exceeds the rates that would

1 be payable under subsection (a) were subsection (a) appli-
2 cable to such employee.

3 (c) For the purposes of this section, the rates payable
4 to an employee who is covered by this section and who
5 is paid from a schedule not in existence on September 30,
6 2002, shall be determined under regulations prescribed by
7 the Office of Personnel Management.

8 (d) Notwithstanding any other provision of law, rates
9 of premium pay for employees subject to this section may
10 not be changed from the rates in effect on September 30,
11 2002, except to the extent determined by the Office of
12 Personnel Management to be consistent with the purpose
13 of this section.

14 (e) This section shall apply with respect to pay for
15 service performed after September 30, 2002.

16 (f) For the purpose of administering any provision
17 of law (including any rule or regulation that provides pre-
18 mium pay, retirement, life insurance, or any other em-
19 ployee benefit) that requires any deduction or contribu-
20 tion, or that imposes any requirement or limitation on the
21 basis of a rate of salary or basic pay, the rate of salary
22 or basic pay payable after the application of this section
23 shall be treated as the rate of salary or basic pay.

24 (g) Nothing in this section shall be considered to per-
25 mit or require the payment to any employee covered by

1 this section at a rate in excess of the rate that would be
2 payable were this section not in effect.

3 (h) The Office of Personnel Management may provide
4 for exceptions to the limitations imposed by this section
5 if the Office determines that such exceptions are necessary
6 to ensure the recruitment or retention of qualified employ-
7 ees.

8 SEC. 614. During the period in which the head of
9 any department or agency, or any other officer or civilian
10 employee of the Government appointed by the President
11 of the United States, holds office, no funds may be obli-
12 gated or expended in excess of \$5,000 to furnish or re-
13 decorate the office of such department head, agency head,
14 officer, or employee, or to purchase furniture or make im-
15 provements for any such office, unless advance notice of
16 such furnishing or redecoration is expressly approved by
17 the Committees on Appropriations. For the purposes of
18 this section, the term “office” shall include the entire suite
19 of offices assigned to the individual, as well as any other
20 space used primarily by the individual or the use of which
21 is directly controlled by the individual.

22 SEC. 615. Notwithstanding any other provision of
23 law, no executive branch agency shall purchase, construct,
24 and/or lease any additional facilities, except within or con-
25 tiguous to existing locations, to be used for the purpose

1 of conducting Federal law enforcement training without
2 the advance approval of the Committees on Appropria-
3 tions, except that the Federal Law Enforcement Training
4 Center is authorized to obtain the temporary use of addi-
5 tional facilities by lease, contract, or other agreement for
6 training which cannot be accommodated in existing Center
7 facilities.

8 SEC. 616. Notwithstanding section 1346 of title 31,
9 United States Code, or section 610 of this Act, funds
10 made available for the current fiscal year by this or any
11 other Act shall be available for the interagency funding
12 of national security and emergency preparedness tele-
13 communications initiatives which benefit multiple Federal
14 departments, agencies, or entities, as provided by Execu-
15 tive Order No. 12472 (April 3, 1984).

16 SEC. 617. (a) None of the funds appropriated by this
17 or any other Act may be obligated or expended by any
18 Federal department, agency, or other instrumentality for
19 the salaries or expenses of any employee appointed to a
20 position of a confidential or policy-determining character
21 excepted from the competitive service pursuant to section
22 3302 of title 5, United States Code, without a certification
23 to the Office of Personnel Management from the head of
24 the Federal department, agency, or other instrumentality
25 employing the Schedule C appointee that the Schedule C

1 position was not created solely or primarily in order to
2 detail the employee to the White House.

3 (b) The provisions of this section shall not apply to
4 Federal employees or members of the armed services de-
5 tailed to or from—

6 (1) the Central Intelligence Agency;

7 (2) the National Security Agency;

8 (3) the Defense Intelligence Agency;

9 (4) the offices within the Department of De-
10 fense for the collection of specialized national foreign
11 intelligence through reconnaissance programs;

12 (5) the Bureau of Intelligence and Research of
13 the Department of State;

14 (6) any agency, office, or unit of the Army,
15 Navy, Air Force, and Marine Corps, the Federal Bu-
16 reau of Investigation and the Drug Enforcement Ad-
17 ministration of the Department of Justice, the De-
18 partment of Transportation, the Department of the
19 Treasury, and the Department of Energy per-
20 forming intelligence functions; and

21 (7) the Director of Central Intelligence.

22 SEC. 618. No department, agency, or instrumentality
23 of the United States receiving appropriated funds under
24 this or any other Act for the current fiscal year shall obli-
25 gate or expend any such funds, unless such department,

1 agency, or instrumentality has in place, and will continue
2 to administer in good faith, a written policy designed to
3 ensure that all of its workplaces are free from discrimina-
4 tion and sexual harassment and that all of its workplaces
5 are not in violation of title VII of the Civil Rights Act
6 of 1964, as amended, the Age Discrimination in Employ-
7 ment Act of 1967, and the Rehabilitation Act of 1973.

8 SEC. 619. None of the funds made available in this
9 Act for the United States Customs Service may be used
10 to allow—

11 (1) the importation into the United States of
12 any good, ware, article, or merchandise mined, pro-
13 duced, or manufactured by forced or indentured
14 child labor, as determined pursuant to section 307
15 of the Tariff Act of 1930 (19 U.S.C. 1307); or

16 (2) the release into the United States of any
17 good, ware, article, or merchandise on which the
18 United States Customs Service has in effect a deten-
19 tion order, pursuant to such section 307, on the
20 basis that the good, ware, article, or merchandise
21 may have been mined, produced, or manufactured by
22 forced or indentured child labor.

23 SEC. 620. No part of any appropriation contained in
24 this or any other Act shall be available for the payment

1 of the salary of any officer or employee of the Federal
2 Government, who—

3 (1) prohibits or prevents, or attempts or threat-
4 ens to prohibit or prevent, any other officer or em-
5 ployee of the Federal Government from having any
6 direct oral or written communication or contact with
7 any Member, committee, or subcommittee of the
8 Congress in connection with any matter pertaining
9 to the employment of such other officer or employee
10 or pertaining to the department or agency of such
11 other officer or employee in any way, irrespective of
12 whether such communication or contact is at the ini-
13 tiative of such other officer or employee or in re-
14 sponse to the request or inquiry of such Member,
15 committee, or subcommittee; or

16 (2) removes, suspends from duty without pay,
17 demotes, reduces in rank, seniority, status, pay, or
18 performance of efficiency rating, denies promotion
19 to, relocates, reassigns, transfers, disciplines, or dis-
20 criminates in regard to any employment right, enti-
21 tlement, or benefit, or any term or condition of em-
22 ployment of, any other officer or employee of the
23 Federal Government, or attempts or threatens to
24 commit any of the foregoing actions with respect to
25 such other officer or employee, by reason of any

1 communication or contact of such other officer or
2 employee with any Member, committee, or sub-
3 committee of the Congress as described in paragraph
4 (1).

5 SEC. 621. (a) None of the funds made available in
6 this or any other Act may be obligated or expended for
7 any employee training that—

8 (1) does not meet identified needs for knowl-
9 edge, skills, and abilities bearing directly upon the
10 performance of official duties;

11 (2) contains elements likely to induce high lev-
12 els of emotional response or psychological stress in
13 some participants;

14 (3) does not require prior employee notification
15 of the content and methods to be used in the train-
16 ing and written end of course evaluation;

17 (4) contains any methods or content associated
18 with religious or quasi-religious belief systems or
19 “new age” belief systems as defined in Equal Em-
20 ployment Opportunity Commission Notice N-
21 915.022, dated September 2, 1988; or

22 (5) is offensive to, or designed to change, par-
23 ticipants’ personal values or lifestyle outside the
24 workplace.

1 (b) Nothing in this section shall prohibit, restrict, or
2 otherwise preclude an agency from conducting training
3 bearing directly upon the performance of official duties.

4 SEC. 622. No funds appropriated in this or any other
5 Act may be used to implement or enforce the agreements
6 in Standard Forms 312 and 4414 of the Government or
7 any other nondisclosure policy, form, or agreement if such
8 policy, form, or agreement does not contain the following
9 provisions: “These restrictions are consistent with and do
10 not supersede, conflict with, or otherwise alter the em-
11 ployee obligations, rights, or liabilities created by Execu-
12 tive Order No. 12958; section 7211 of title 5, United
13 States Code (governing disclosures to Congress); section
14 1034 of title 10, United States Code, as amended by the
15 Military Whistleblower Protection Act (governing disclo-
16 sure to Congress by members of the military); section
17 2302(b)(8) of title 5, United States Code, as amended by
18 the Whistleblower Protection Act (governing disclosures of
19 illegality, waste, fraud, abuse or public health or safety
20 threats); the Intelligence Identities Protection Act of 1982
21 (50 U.S.C. 421 et seq.) (governing disclosures that could
22 expose confidential Government agents); and the statutes
23 which protect against disclosure that may compromise the
24 national security, including sections 641, 793, 794, 798,
25 and 952 of title 18, United States Code, and section 4(b)

1 of the Subversive Activities Act of 1950 (50 U.S.C.
2 783(b)). The definitions, requirements, obligations, rights,
3 sanctions, and liabilities created by said Executive order
4 and listed statutes are incorporated into this agreement
5 and are controlling.”: *Provided*, That notwithstanding the
6 preceding paragraph, a nondisclosure policy form or agree-
7 ment that is to be executed by a person connected with
8 the conduct of an intelligence or intelligence-related activ-
9 ity, other than an employee or officer of the United States
10 Government, may contain provisions appropriate to the
11 particular activity for which such document is to be used.
12 Such form or agreement shall, at a minimum, require that
13 the person will not disclose any classified information re-
14 ceived in the course of such activity unless specifically au-
15 thorized to do so by the United States Government. Such
16 nondisclosure forms shall also make it clear that they do
17 not bar disclosures to Congress or to an authorized official
18 of an executive agency or the Department of Justice that
19 are essential to reporting a substantial violation of law.

20 SEC. 623. No part of any funds appropriated in this
21 or any other Act shall be used by an agency of the execu-
22 tive branch, other than for normal and recognized execu-
23 tive-legislative relationships, for publicity or propaganda
24 purposes, and for the preparation, distribution or use of
25 any kit, pamphlet, booklet, publication, radio, television or

1 film presentation designed to support or defeat legislation
2 pending before the Congress, except in presentation to the
3 Congress itself.

4 SEC. 624. None of the funds appropriated by this or
5 any other Act may be used by an agency to provide a Fed-
6 eral employee's home address to any labor organization
7 except when the employee has authorized such disclosure
8 or when such disclosure has been ordered by a court of
9 competent jurisdiction.

10 SEC. 625. None of the funds made available in this
11 Act or any other Act may be used to provide any non-
12 public information such as mailing or telephone lists to
13 any person or any organization outside of the Federal
14 Government without the approval of the Committees on
15 Appropriations.

16 SEC. 626. No part of any appropriation contained in
17 this or any other Act shall be used for publicity or propa-
18 ganda purposes within the United States not heretofore
19 authorized by the Congress.

20 SEC. 627. (a) In this section the term "agency"—

21 (1) means an Executive agency as defined
22 under section 105 of title 5, United States Code;

23 (2) includes a military department as defined
24 under section 102 of such title, the Postal Service,
25 and the Postal Rate Commission; and

1 (3) shall not include the General Accounting
2 Office.

3 (b) Unless authorized in accordance with law or regu-
4 lations to use such time for other purposes, an employee
5 of an agency shall use official time in an honest effort
6 to perform official duties. An employee not under a leave
7 system, including a Presidential appointee exempted under
8 section 6301(2) of title 5, United States Code, has an obli-
9 gation to expend an honest effort and a reasonable propor-
10 tion of such employee's time in the performance of official
11 duties.

12 SEC. 628. Notwithstanding 31 U.S.C. 1346 and sec-
13 tion 610 of this Act, funds made available for the current
14 fiscal year by this or any other Act to any department
15 or agency, which is a member of the Joint Financial Man-
16 agement Improvement Program (JFMIP), shall be avail-
17 able to finance an appropriate share of JFMIP adminis-
18 trative costs, as determined by the JFMIP, but not to ex-
19 ceed a total of \$800,000 including the salary of the Execu-
20 tive Director and staff support.

21 SEC. 629. Notwithstanding 31 U.S.C. 1346 and sec-
22 tion 610 of this Act, the head of each Executive depart-
23 ment and agency is hereby authorized to transfer to or
24 reimburse the "Policy and Citizen Services" account, Gen-
25 eral Services Administration, with the approval of the Di-

1 rector of the Office of Management and Budget, funds
2 made available for the current fiscal year by this or any
3 other Act, including rebates from charge card and other
4 contracts. These funds shall be administered by the Ad-
5 ministrator of General Services to support Government-
6 wide financial, information technology, procurement, and
7 other management innovations, initiatives, and activities,
8 as approved by the Director of the Office of Management
9 and Budget, in consultation with the appropriate inter-
10 agency groups designated by the Director (including the
11 Chief Financial Officers Council and the Joint Financial
12 Management Improvement Program for financial manage-
13 ment initiatives, the Chief Information Officers Council
14 for information technology initiatives, and the Procure-
15 ment Executives Council for procurement initiatives). The
16 total funds transferred or reimbursed shall not exceed
17 \$17,000,000. Such transfers or reimbursements may only
18 be made 15 days following notification of the Committees
19 on Appropriations by the Director of the Office of Man-
20 agement and Budget.

21 SEC. 630. Notwithstanding any other provision of
22 law, a woman may breastfeed her child at any location
23 in a Federal building or on Federal property, if the woman
24 and her child are otherwise authorized to be present at
25 the location.

1 SEC. 631. Notwithstanding section 1346 of title 31,
2 United States Code, or section 610 of this Act, funds
3 made available for the current fiscal year by this or any
4 other Act shall be available for the interagency funding
5 of specific projects, workshops, studies, and similar efforts
6 to carry out the purposes of the National Science and
7 Technology Council (authorized by Executive Order No.
8 12881), which benefit multiple Federal departments,
9 agencies, or entities: *Provided*, That the Office of Manage-
10 ment and Budget shall provide a report describing the
11 budget of and resources connected with the National
12 Science and Technology Council to the Committees on Ap-
13 propriations, the House Committee on Science; and the
14 Senate Committee on Commerce, Science, and Transpor-
15 tation 90 days after enactment of this Act.

16 SEC. 632. Any request for proposals, solicitation,
17 grant application, form, notification, press release, or
18 other publications involving the distribution of Federal
19 funds shall indicate the agency providing the funds and
20 the amount provided. This provision shall apply to direct
21 payments, formula funds, and grants received by a State
22 receiving Federal funds.

23 SEC. 633. Section 403(f) of Public Law 103–356 (31
24 U.S.C. 501 note) is amended by striking “October 1,
25 2002” and inserting “October 1, 2003”.

1 SEC. 634. (a) PROHIBITION OF FEDERAL AGENCY
2 MONITORING OF PERSONAL INFORMATION ON USE OF
3 INTERNET.—None of the funds made available in this or
4 any other Act may be used by any Federal agency—

5 (1) to collect, review, or create any aggregate
6 list, derived from any means, that includes the col-
7 lection of any personally identifiable information re-
8 lating to an individual’s access to or use of any Fed-
9 eral Government Internet site of the agency; or

10 (2) to enter into any agreement with a third
11 party (including another government agency) to col-
12 lect, review, or obtain any aggregate list, derived
13 from any means, that includes the collection of any
14 personally identifiable information relating to an in-
15 dividual’s access to or use of any nongovernmental
16 Internet site.

17 (b) EXCEPTIONS.—The limitations established in
18 subsection (a) shall not apply to—

19 (1) any record of aggregate data that does not
20 identify particular persons;

21 (2) any voluntary submission of personally iden-
22 tifiable information;

23 (3) any action taken for law enforcement, regu-
24 latory, or supervisory purposes, in accordance with
25 applicable law; or

1 (4) any action described in subsection (a)(1)
2 that is a system security action taken by the oper-
3 ator of an Internet site and is necessarily incident
4 to the rendition of the Internet site services or to the
5 protection of the rights or property of the provider
6 of the Internet site.

7 (c) DEFINITIONS.—For the purposes of this section:

8 (1) The term “regulatory” means agency ac-
9 tions to implement, interpret or enforce authorities
10 provided in law.

11 (2) The term “supervisory” means examina-
12 tions of the agency’s supervised institutions, includ-
13 ing assessing safety and soundness, overall financial
14 condition, management practices and policies and
15 compliance with applicable standards as provided in
16 law.

17 SEC. 635. (a) None of the funds appropriated by this
18 Act may be used to enter into or renew a contract which
19 includes a provision providing prescription drug coverage,
20 except where the contract also includes a provision for con-
21 traceptive coverage.

22 (b) Nothing in this section shall apply to a contract
23 with—

24 (1) any of the following religious plans:

25 (A) Personal Care’s HMO; and

1 (B) OSF Health Plans, Inc.; and

2 (2) any existing or future plan, if the carrier
3 for the plan objects to such coverage on the basis of
4 religious beliefs.

5 (c) In implementing this section, any plan that enters
6 into or renews a contract under this section may not sub-
7 ject any individual to discrimination on the basis that the
8 individual refuses to prescribe or otherwise provide for
9 contraceptives because such activities would be contrary
10 to the individual's religious beliefs or moral convictions.

11 (d) Nothing in this section shall be construed to re-
12 quire coverage of abortion or abortion-related services.

13 SEC. 636. The Congress of the United States recog-
14 nizes the United States Anti-Doping Agency (USADA) as
15 the official anti-doping agency for Olympic, Pan Amer-
16 ican, and Paralympic sport in the United States.

17 SEC. 637. Not later than 6 months after the date of
18 enactment of this Act, the Inspector General of each appli-
19 cable department or agency shall submit to the Committee
20 on Appropriations a report detailing what policies and pro-
21 cedures are in place for each department or agency to give
22 first priority to the location of new offices and other facili-
23 ties in rural areas, as directed by the Rural Development
24 Act of 1972.

1 SEC. 638. Section 7131 of title 5, United States
2 Code, is amended by adding at the end the following:

3 “(e)(1) Each agency shall submit to each House of
4 the Congress, the Office of Personnel Management, and
5 the Office of Management and Budget, at the time the
6 budget is submitted by the President to the Congress in
7 each calendar year, a report on the use of official time
8 within such agency during the fiscal year last ending be-
9 fore the date of the report’s submission.

10 “(2) Each such report shall include, with respect to
11 the fiscal year to which it pertains—

12 “(A) the number of hours of official time that
13 employees spent on labor organization activities;

14 “(B) the number of employees who used official
15 time for labor organization activities;

16 “(C) the number of employees who spent 100
17 percent of their time on labor organization activities;

18 “(D) the dollar value of the official time spent
19 on labor organization activities;

20 “(E) the dollar value of the office space, equip-
21 ment, telephone use, and supplies provided to em-
22 ployees using official time for labor organization ac-
23 tivities; and

24 “(F) the benefits and disadvantages of using of-
25 ficial time for labor organization activities.”.

1 SEC. 639. (a) ANNUAL IDENTIFICATION OF SUSCEP-
2 TIBLE PROGRAMS AND ACTIVITIES SUSCEPTIBLE TO IM-
3 PROPER PAYMENTS.—The head of each agency shall, in
4 accordance with guidance prescribed by the Director of the
5 Office of Management and Budget, annually review all
6 programs and activities that it administers and identify
7 all such programs and activities that may be susceptible
8 to significant improper payments.

9 (b) ESTIMATION OF IMPROPER PAYMENTS.—With
10 respect to each program and activity identified under sub-
11 section (a), the head of the agency concerned shall—

12 (1) estimate the annual amount of improper
13 payments; and

14 (2) include that estimate in its annual budget
15 submission.

16 (c) REPORTS ON ACTIONS TO REDUCE IMPROPER
17 PAYMENTS.—With respect to any program or activity of
18 an agency with estimated improper payments under sub-
19 section (b) that exceed 1 percent of the total program or
20 activity budget or \$1,000,000 annually (whichever is less),
21 the head of the agency shall provide with the estimate
22 under subsection (b) a report on what actions the agency
23 is taking to reduce the improper payments, including—

24 (1) a statement of whether the agency has the
25 information systems and other infrastructure it

1 needs in order to reduce improper payments to mini-
2 mal cost-effective levels;

3 (2) if the agency does not have such systems
4 and infrastructure, a description of the resources the
5 agency has requested in its budget submission to ob-
6 tain the necessary information systems and infra-
7 structure; and

8 (3) a description of the steps the agency has
9 taken to ensure that agency managers (including the
10 agency head) are held accountable for reducing im-
11 proper payments.

12 (d) DEFINITIONS.—For the purposes of this section:

13 (1) AGENCY.—The term “agency” means an
14 executive agency, as that term is defined in section
15 102 of title 31, United States Code.

16 (2) IMPROPER PAYMENT.—The term “improper
17 payment”—

18 (A) means any payment that should not
19 have been made or that was made in an incor-
20 rect amount (including overpayments and un-
21 derpayments) under statutory, contractual, ad-
22 ministrative, or other legally applicable require-
23 ments; and

24 (B) includes any payment to an ineligible
25 recipient, any payment for an ineligible service,

1 any duplicate payment, payments for services
2 not received, and any payment that does not ac-
3 count for credit for applicable discounts.

4 (3) PAYMENT.—The term “payment” means
5 any payment (including a commitment for future
6 payment, such as a loan guarantee) that is—

7 (A) made by a Federal agency, a Federal
8 contractor, or a governmental or other organi-
9 zation administering a Federal program or ac-
10 tivity; and

11 (B) derived from Federal funds or other
12 Federal resources or that will be reimbursed
13 from Federal funds or other Federal resources.

14 (e) APPLICATION.—This section—

15 (1) applies with respect to the administration of
16 programs, and improper payments under programs,
17 in fiscal years after fiscal year 2002; and

18 (2) requires the inclusion of estimates under
19 subsection (b)(2) only in annual budget submissions
20 for fiscal years after fiscal year 2003.

21 (f) GUIDANCE BY THE OFFICE OF MANAGEMENT
22 AND BUDGET.—The Director of the Office of Manage-
23 ment and Budget shall prescribe guidance to implement
24 the requirements of this section.

1 SEC. 640. (a) Notwithstanding paragraph (17) of
2 subsection (a) of the Policemen and Firemen's Retirement
3 and Disability Act (sec. 5-701(17), D.C. Official Code)
4 or any other provision of such Act to the contrary, for
5 purposes of determining the amount of any annuity re-
6 quired to be paid under such Act with respect to an officer
7 or member of the United States Secret Service who retired
8 during fiscal year 1995, the officer's or member's average
9 pay shall be the officer's or member's basic salary at the
10 time of retirement.

11 (b) Subsection (a) shall apply with respect to any an-
12 nuity paid—

13 (1) during fiscal year 1995 or any succeeding
14 fiscal year, in the case of a survivor's annuity paid
15 with respect to an officer or member of the United
16 States Secret Service described in such subsection;
17 or

18 (2) during fiscal year 2003 or any succeeding
19 fiscal year, in the case of any other annuity paid
20 with respect to an officer or member of the United
21 States Secret Service described in such subsection.

22 SEC. 641. Section 902(b) of the Law Enforcement
23 Pay Equity Act of 2000 (as enacted into law by Public
24 Law 106-554), shall cease to be effective on January 1,
25 2003.

1 SEC. 642. No funds appropriated under this Act or
2 any other Act with respect to any fiscal year shall be avail-
3 able to take any action based upon any provision of 5
4 U.S.C. 552 with respect to records collected or maintained
5 by the Secretary of the Treasury or his delegate pursuant
6 to 18 U.S.C. 846(b), 923(g)(3) or 923(g)(7), or obtained
7 by the Secretary or delegate from Federal, State, local,
8 or foreign law enforcement agencies in connection with
9 arson or explosives incidents or the tracing of a firearm,
10 except that the Secretary or delegate may continue to dis-
11 close such records to the extent and in the manner that
12 records so collected, maintained, or obtained have been
13 disclosed by the Secretary or delegate under 5 U.S.C. 552
14 prior to the date of the enactment of this Act.

15 SEC. 643. (a) The adjustment in rates of basic pay
16 for the statutory pay systems that takes effect in fiscal
17 year 2003 under sections 5303 and 5304 of title 5, United
18 States Code, shall be an increase of 4.1 percent.

19 (b) Funds used to carry out this section shall be paid
20 from appropriations which are made to each applicable de-
21 partment or agency for salaries and expenses for fiscal
22 year 2003.

23 SEC. 644. (a) Section 9505(d) of title 5, United
24 States Code, is amended by striking the second sentence
25 and inserting the following: “Such amount may not exceed

1 the maximum amount which would be allowable under
2 paragraph (3) of section 5384(b) if such paragraph were
3 applied by substituting ‘the Internal Revenue Service’ for
4 ‘an agency’.”.

5 (b) The amendment made by subsection (a) shall
6 apply with respect to fiscal years beginning after Sep-
7 tember 30, 2002.

8 SEC. 645. None of the funds made available in this
9 Act may be used to finalize, implement, administer, or
10 enforce—

11 (1) the proposed rule relating to the determina-
12 tion that real estate brokerage is an activity that is
13 financial in nature or incidental to a financial activ-
14 ity published in the Federal Register on January 3,
15 2001 (66 Fed. Reg. 307 et seq.); or

16 (2) the revision proposed in such rule to section
17 1501.2 of title 12 of the Code of Federal Regula-
18 tions.

19 SEC. 646. CORPORATE EXPATRIATES. (a) LIMITA-
20 TION.—None of the funds made available in this Act may
21 be obligated for payment on any new contract to a sub-
22 sidiary of a publicly traded corporation if the corporation
23 is incorporated in a tax haven country but the United
24 States is the principal market for the public trading of
25 the corporation’s stock.

1 (b) DEFINITION.—For purposes of subsection (a),
2 the term “tax haven country” means each of the following:
3 Barbados, Bermuda, British Virgin Islands, Cayman Is-
4 lands, Commonwealth of the Bahamas, Cyprus, Gibraltar,
5 Isle of Man, the Principality of Liechtenstein, the Princi-
6 pality of Monaco, and the Republic of the Seychelles.

7 (c) WAIVER.—The President may waive subsection
8 (a) with respect to any specific contract if the President
9 certifies to the Appropriations Committees that the waiver
10 is required in the interest of national security.

11 This Act may be cited as the “Treasury and General
12 Government Appropriations Act, 2003”.

Union Calendar No. 345

107TH CONGRESS
2^D SESSION

H. R. 5120

[Report No. 107-575]

A BILL

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.

JULY 15, 2002

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed