

In the Senate of the United States,

April 7, 2003.

Resolved, That the bill from the House of Representatives (H.R. 1559) entitled “An Act making emergency war-time supplemental appropriations for the fiscal year ending September 30, 2003, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *fiscal year ending September 30, 2003, and for other pur-*
- 4 *poses, namely:*

1 *TITLE I—SUPPLEMENTAL APPROPRIATIONS*2 *CHAPTER 1*3 *AGRICULTURAL PROGRAMS*4 *AGRICULTURAL RESEARCH SERVICE*5 *BUILDINGS AND FACILITIES*

6 *For an additional amount for “Buildings and Facili-*
7 *ties”, \$98,000,000, to remain available until expended.*

8 *PUBLIC LAW 480 TITLE II GRANTS*9 *(INCLUDING TRANSFER OF FUNDS)*

10 *—For additional expenses during the current fiscal*
11 *year, not otherwise recoverable, and unrecovered prior*
12 *year’s costs, including interest thereon, under the Agricul-*
13 *tural Trade Development Act of 1954, \$600,000,000, to re-*
14 *main available until expended, for commodities supplied in*
15 *connection with dispositions abroad under title II of said*
16 *Act: Provided, That of this amount, \$155,000,000 shall be*
17 *used to restore funding for previously approved fiscal year*
18 *2003 programs under section 204(a)(2) of the Agricultural*
19 *Trade Development and Assistance Act of 1954: Provided*
20 *further, That of the funds provided under this heading, the*
21 *Secretary of Agriculture shall transfer to the Commodity*
22 *Credit Corporation such sums as are necessary to acquire,*
23 *and shall acquire, a quantity of commodities for use in ad-*
24 *ministering the Bill Emerson Humanitarian Trust in an*
25 *amount equal to the quantity allocated by the Corporation*

1 *pursuant to the release of March 19, 2003, and the release*
2 *of March 20, 2003: Provided further, That the authority*
3 *contained in 7 U.S.C. 1736f-1(c)(4) shall not apply during*
4 *fiscal year 2003 for any release of commodities after the*
5 *date of enactment of this Act.*

6 *GENERAL PROVISIONS, THIS CHAPTER*

7 *SEC. 101. TECHNICAL ASSISTANCE FOR CONSERVA-*
8 *TION PROGRAMS. (a) IN GENERAL.—Section 1241 of the*
9 *Food Security Act of 1985 (16 U.S.C. 3841) is amended*
10 *by striking subsection (b) and inserting the following:*

11 *“(b) TECHNICAL ASSISTANCE.—*

12 *“(1) IN GENERAL.—Effective beginning on the*
13 *date of enactment of the Agricultural Assistance Act*
14 *of 2003, subject to paragraph (2), Commodity Credit*
15 *Corporation funds made available under paragraphs*
16 *(4) through (7) of subsection (a) shall be available for*
17 *the provision of technical assistance (subject to section*
18 *1242) for the conservation programs specified in sub-*
19 *section (a).*

20 *“(2) CONSERVATION SECURITY PROGRAM.—Effec-*
21 *tive for fiscal year 2004 and subsequent fiscal years,*
22 *Commodity Credit Corporation funds made available*
23 *to carry out the conservation security program under*
24 *subsection (a)(3)—*

1 “(A) shall be available for the provision of
2 technical assistance for the conservation security
3 program; and

4 “(B) shall not be available for the provision
5 of technical assistance for conservation programs
6 specified in subsection (a) other than the con-
7 servation security program.”.

8 (b) *EFFECTIVE DATE.*—The amendment made by sub-
9 section (a) takes effect on February 20, 2003.

10 *SEC. 102. REPORT ON BILL EMERSON HUMANITARIAN*
11 *TRUST AND FUTURE OF UNITED STATES FOOD AID. Not*
12 *later than 180 days after the date of enactment of this Act,*
13 *the Secretary of Agriculture (in coordination with the Ad-*
14 *ministrator of the Agency for International Development)*
15 *shall submit to the Committee on Agriculture of the House*
16 *of Representatives, the Committee on Agriculture, Nutri-*
17 *tion, and Forestry of the Senate, and the Subcommittees*
18 *on Agriculture, Rural Development, and Related Agencies*
19 *of the Committees on Appropriations of the House of Rep-*
20 *resentatives and the Senate, a report that describes—*

21 (1) *the policy of the Secretary with respect to the*
22 *Bill Emerson Humanitarian Trust established under*
23 *the Bill Emerson Humanitarian Trust Act (7 U.S.C.*
24 *1736f–1 et seq.), including whether that policy in-*
25 *cludes an intent to replenish the Trust; and*

1 *ember 31, 2003: Provided, That the funds provided under*
2 *this heading shall be managed only by the Attorney General*
3 *or the Deputy Attorney General to be transferred to, and*
4 *merged with, any appropriations account under this title:*
5 *Provided further, That any transfer pursuant to the pre-*
6 *vious proviso shall be treated as a reprogramming under*
7 *section 605 of the Departments of Commerce, Justice, and*
8 *State, the Judiciary, and Related Agencies Appropriations*
9 *Act, 2003, and shall not be available for obligation or ex-*
10 *penditure except in compliance with the procedures set forth*
11 *in that section.*

12 *FEDERAL BUREAU OF INVESTIGATION*

13 *SALARIES AND EXPENSES*

14 *For an additional amount for “Federal Bureau of In-*
15 *vestigation”, \$63,000,000, to remain available until Decem-*
16 *ber 31, 2003, of which \$13,380,000 shall be for language*
17 *translation needs, of which \$20,270,000 shall be for the Fed-*
18 *eral Bureau of Investigation participation in the Terrorist*
19 *Threat Integration Center, and of which \$29,350,000 shall*
20 *be for the incorporation of the Foreign Terrorist Tracking*
21 *Task Force into the Terrorist Threat Integration Center:*
22 *Provided, That the funds provided under this heading shall*
23 *not be available for obligation or expenditure except in com-*
24 *pliance with the procedures set forth in section 605 of the*

1 *Departments of Commerce, Justice, and State, the Judici-*
2 *ary, and Related Agencies Appropriations Act, 2003.*

3 *CONSTRUCTION*

4 *For an additional amount for “Federal Bureau of In-*
5 *vestigation, Construction”, \$10,000,000, to remain avail-*
6 *able until September 30, 2004, to accelerate construction*
7 *and fit out of the new wing of the Engineering Research*
8 *Facility.*

9 *OFFICE OF JUSTICE PROGRAMS*

10 *STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE*

11 *For an additional amount for “State and Local Law*
12 *Enforcement Assistance”, \$91,000,000, to remain available*
13 *until December 31, 2003, for the terrorism prevention and*
14 *response training for law enforcement and other responders*
15 *for increased costs associated with heightened homeland se-*
16 *curity alerts and law enforcement needs related to the tem-*
17 *porary replacement of veteran officers called to duty: Pro-*
18 *vided, That the funds provided under this heading shall not*
19 *be available for obligation or expenditure except in compli-*
20 *ance with the procedures set forth in section 605 of the De-*
21 *partments of Commerce, Justice, and State, the Judiciary,*
22 *and Related Agencies Appropriations Act, 2003.*

23 *COMMUNITY ORIENTED POLICING SERVICES*

24 *For an additional amount for “Community Oriented*
25 *Policing Services”, \$109,500,000, to remain available until*
26 *December 31, 2003, shall be for the Community Oriented*

1 *Policing Services, Interoperable Communications Tech-*
2 *nology Program, for grants to States and localities to im-*
3 *prove communications within and among law enforcement*
4 *agencies: Provided, That the funds provided under this*
5 *heading shall not be available for obligation or expenditure*
6 *except in compliance with the procedures set forth in section*
7 *605 of the Departments of Commerce, Justice, and State,*
8 *the Judiciary, and Related Agencies Appropriations Act,*
9 *2003.*

10 *DEPARTMENT OF STATE*

11 *ADMINISTRATION OF FOREIGN AFFAIRS*

12 *DIPLOMATIC AND CONSULAR PROGRAMS*

13 *For an additional amount for “Diplomatic and Con-*
14 *sular Programs”, \$83,420,000: Provided, That \$15,600,000,*
15 *to remain available until December 31, 2003, shall only be*
16 *available for medical services: Provided further, That*
17 *\$2,000,000 shall only be available for the Consular Affairs*
18 *requirements relating to American citizen services: Pro-*
19 *vided further, That \$30,020,000 shall only be available for*
20 *Machine Readable Visa fee shortfalls affecting the Border*
21 *Security Program: Provided further, That notwithstanding*
22 *any other provision of law, any shortfall in fee revenue re-*
23 *sulting from a decrease in the number of visa applications*
24 *to the United States shall be offset by a direct transfer of*
25 *funds equal to the amount of the shortfall from the Diplo-*

1 *matic and Consular Programs general account to the Ap-*
2 *propriations Point Deliminator Account Number X0113.6:*
3 *Provided further, That \$35,800,000 shall only be available*
4 *for costs associated with the re-establishment of a United*
5 *States diplomatic presence in Baghdad, Iraq, of which*
6 *\$17,900,000 is for operational requirements, including*
7 *housing, furniture, sundries, travel, vehicles, and office sup-*
8 *plies and furnishings, and \$17,900,000 is for security, of*
9 *which \$5,300,000 is for information technology, \$1,945,000*
10 *is for courier shipments, \$3,789,000 is for temporary duty*
11 *assignments, and \$2,503,000 is for armored vehicles, spares,*
12 *and repairs.*

13 *In addition, for the costs of worldwide security up-*
14 *grades, including increased local guard protection, chemical*
15 *and biological countermeasures, requirements relating to*
16 *intelligence, the assignment of temporary personnel to*
17 *United States diplomatic presences, armored vehicles, and*
18 *the security of the domestic facilities of the Department of*
19 *State, \$10,000,000, to remain available until December 31,*
20 *2003.*

21 *EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE*

22 *For an additional amount for “Embassy Security,*
23 *Construction, and Maintenance”, \$72,000,000: Provided,*
24 *That of the funds appropriated under this heading,*
25 *\$20,000,000 shall only be available for capital costs associ-*
26 *ated with the re-establishment of a United States Diplo-*

1 *matic presence in Baghdad, Iraq: Provided further, That*
2 *of the funds appropriated under this heading, not less than*
3 *\$52,000,000 shall be available for the Center for*
4 *Antiterrorism and Security Training.*

5 *In addition, for security enhancements to non-official*
6 *facilities frequented by United States citizens overseas, in-*
7 *cluding schools attended by the dependents of non-military*
8 *United States Government personnel, \$10,000,000, to re-*
9 *main available until September 30, 2004.*

10 *EMERGENCIES IN THE DIPLOMATIC AND CONSULAR*

11 *SERVICE*

12 *For an additional amount for “Emergencies in the*
13 *Diplomatic and Consular Service”, \$40,000,000, to remain*
14 *available until expended: Provided, That the Secretary of*
15 *State may collect from the head of any other agency of the*
16 *United States the cost incurred by the Department of State*
17 *for evacuating an employee of such agency, and any mem-*
18 *ber of the family of such an employee, from a location in*
19 *a foreign country where the employee is authorized to be*
20 *in connection with the performance of the employee’s official*
21 *duties: Provided further, That the head of an agency shall*
22 *pay the Secretary of State the amount certified by the Sec-*
23 *retary as the cost of evacuation of that agency’s personnel:*
24 *Provided further, That amounts collected by the Secretary*
25 *of State under the previous two provisos shall be credited*
26 *to the appropriation charged such cost, shall be merged with*

1 *other sums in such appropriation, and shall be available*
2 *for the same purposes and period as the appropriation to*
3 *which credited within 60 days of certification by the Sec-*
4 *retary of State.*

5 *RELATED AGENCY*

6 *BROADCASTING BOARD OF GOVERNORS*

7 *INTERNATIONAL BROADCASTING OPERATIONS*

8 *For an additional amount for “International Broad-*
9 *casting Operations”, \$62,000,000, to remain available until*
10 *September 30, 2004, for activities related to the Middle East*
11 *Television Network broadcasting and radio broadcasting to*
12 *Iraq.*

13 *CHAPTER 3*

14 *DEPARTMENT OF DEFENSE*

15 *MILITARY PERSONNEL*

16 *MILITARY PERSONNEL, ARMY*

17 *For an additional amount for “Military Personnel,*
18 *Army”, \$7,724,500,000.*

19 *MILITARY PERSONNEL, NAVY*

20 *For an additional amount for “Military Personnel,*
21 *Navy”, \$1,784,300,000.*

22 *MILITARY PERSONNEL, MARINE CORPS*

23 *For an additional amount for “Military Personnel,*
24 *Marine Corps”, \$1,254,900,000.*

1 *MILITARY PERSONNEL, AIR FORCE*

2 *For an additional amount for “Military Personnel,*
3 *Air Force”, \$2,834,800,000.*

4 *RESERVE PERSONNEL, ARMY*

5 *For an additional amount for “Reserve Personnel,*
6 *Army”, \$6,000,000.*

7 *NATIONAL GUARD PERSONNEL, ARMY*

8 *For an additional amount for “National Guard Per-*
9 *sonnel, Army”, \$110,000,000.*

10 *OPERATION AND MAINTENANCE*11 *OPERATION AND MAINTENANCE, ARMY*

12 *For an additional amount for “Operation and Mainte-*
13 *nance, Army”, \$16,142,500,000.*

14 *OPERATION AND MAINTENANCE, NAVY*

15 *For an additional amount for “Operation and Mainte-*
16 *nance, Navy”, \$5,296,600,000.*

17 *OPERATION AND MAINTENANCE, MARINE CORPS*

18 *For an additional amount for “Operation and Mainte-*
19 *nance, Marine Corps”, \$1,752,700,000.*

20 *OPERATION AND MAINTENANCE, AIR FORCE*

21 *For an additional amount for “Operation and Mainte-*
22 *nance, Air Force”, \$7,209,200,000.*

23 *OPERATION AND MAINTENANCE, DEFENSE-WIDE*

24 *For an additional amount for “Operation and Mainte-*
25 *nance, Defense-Wide”, \$4,007,700,000, to remain available*

1 *until expended, of which \$1,400,000,000, which may be*
2 *used, notwithstanding any other provision of law, for pay-*
3 *ments to reimburse Pakistan, Jordan, and other key cooper-*
4 *ating nations, for logistical and military-related support*
5 *provided to the United States in connection with military*
6 *action in Iraq and the global war on terrorism: Provided,*
7 *That such payments may be made in such amounts as the*
8 *Secretary of Defense, with concurrence of the Secretary of*
9 *State and in consultation with the Director of the Office*
10 *of Management and Budget, may determine, in his discre-*
11 *tion, based on documentation determined by the Secretary*
12 *of Defense to adequately account for the support provided,*
13 *and such determination is final and conclusive upon the*
14 *accounting officers of the United States and 15 days fol-*
15 *lowing notification to the appropriate congressional com-*
16 *mittees.*

17 *OPERATION AND MAINTENANCE, NAVY RESERVE*

18 *For an additional amount for “Operation and Mainte-*
19 *nance, Navy Reserve”, \$15,000,000.*

20 *OPERATION AND MAINTENANCE, MARINE CORPS RESERVE*

21 *For an additional amount for “Operation and Mainte-*
22 *nance, Marine Corps Reserve”, \$50,000,000.*

23 *OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD*

24 *For an additional amount for “Operation and Mainte-*
25 *nance, Army National Guard”, \$88,400,000.*

1 *OPERATION AND MAINTENANCE, AIR NATIONAL GUARD*

2 *For an additional amount for “Operation and Mainte-*
3 *nance, Air National Guard”, \$20,000,000.*

4 *NATURAL RESOURCES RISK REMEDIATION FUND*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For expenses necessary to address emergency fire fight-*
7 *ing, repair of damage to oil facilities and related infra-*
8 *structure and preserve a distribution capability,*
9 *\$489,300,000, to remain available until expended: Pro-*
10 *vided, That the Secretary of Defense may accept from any*
11 *person, foreign government, or international organization,*
12 *and credit to this fund, any contribution of money for such*
13 *purposes: Provided further, That the Secretary of Defense*
14 *may transfer these funds to other appropriations or funds*
15 *of the Department of Defense to carry out such purposes,*
16 *or to reimburse such appropriations or funds for expenses*
17 *incurred for such purposes: Provided further, That funds*
18 *so transferred shall be merged with and shall be available*
19 *for the same purposes and for the same time period as the*
20 *appropriation or fund to which transferred: Provided fur-*
21 *ther, That the Secretary of Defense shall submit a report*
22 *no later than 30 days after the end of each fiscal quarter*
23 *to the congressional defense committees of any transfer of*
24 *funds from this appropriation: Provided further, That the*
25 *transfer authority provided in this paragraph is in addi-*

1 *tion to any other transfer authority available to the Depart-*
2 *ment of Defense: Provided further, That upon a determina-*
3 *tion that all or part of the funds transferred from this ap-*
4 *propriation are not necessary for the purposes provided,*
5 *such amounts may be transferred back to this appropria-*
6 *tion.*

7 *PROCUREMENT*

8 *AIRCRAFT PROCUREMENT, ARMY*

9 *For an additional amount for “Aircraft Procurement,*
10 *Army”, \$4,100,000.*

11 *MISSILE PROCUREMENT, ARMY*

12 *For an additional amount for “Missile Procurement,*
13 *Army”, \$3,100,000.*

14 *PROCUREMENT OF WEAPONS AND TRACKED COMBAT*

15 *VEHICLES, ARMY*

16 *For an additional amount for “Procurement of Weap-*
17 *ons and Tracked Combat Vehicles, Army”, \$53,300,000.*

18 *PROCUREMENT OF AMMUNITION, ARMY*

19 *For an additional amount for “Procurement of Am-*
20 *munition, Army”, \$447,500,000.*

21 *OTHER PROCUREMENT, ARMY*

22 *For an additional amount for “Other Procurement,*
23 *Army”, \$241,800,000.*

1 *OTHER PROCUREMENT, AIR FORCE*

2 *For an additional amount for “Other Procurement,*
3 *Air Force”, \$113,600,000.*

4 *PROCUREMENT, DEFENSE-WIDE*

5 *For an additional amount for “Procurement, Defense-*
6 *Wide”, \$451,000,000.*

7 *RESEARCH, DEVELOPMENT, TEST AND*
8 *EVALUATION*

9 *RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY*
10 *For an additional amount for “Research, Develop-*
11 *ment, Test and Evaluation, Army”, \$11,500,000.*

12 *REVOLVING AND MANAGEMENT FUNDS*

13 *DEFENSE WORKING CAPITAL FUNDS*

14 *(INCLUDING TRANSFER OF FUNDS)*

15 *For an additional amount for “Defense Working Cap-*
16 *ital Funds”, \$550,000,000.*

17 *OTHER DEPARTMENT OF DEFENSE PROGRAMS*

18 *DEFENSE HEALTH PROGRAM*

19 *For an additional amount for “Defense Health Pro-*
20 *gram”, \$501,700,000.*

21 *DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES,*

22 *DEFENSE*

23 *For an additional amount for “Drug Interdiction and*
24 *Counter-Drug Activities, Defense”, \$34,000,000.*

1 *DEFENSE EMERGENCY RESPONSE FUND*2 *(INCLUDING TRANSFER OF FUNDS)*

3 *For an additional amount for “Defense Emergency Re-*
4 *sponse Fund”, \$11,019,000,000, to remain available until*
5 *expended for ongoing military operations in Iraq, and those*
6 *operations authorized by Public Law 107–040, of which not*
7 *to exceed \$50,000,000, to remain available until September*
8 *30, 2003, to support the military operations or activities*
9 *of foreign nations in furtherance of the global war on ter-*
10 *rorism, including equipment, supplies, services, and fund-*
11 *ing on such terms as the Secretary of Defense, following*
12 *notification of the congressional defense committees, and*
13 *with the concurrence of the Secretary of State, may deter-*
14 *mine: Provided, That the Secretary of Defense may transfer*
15 *the funds provided herein to appropriations for military*
16 *personnel; operation and maintenance; Overseas Humaniti-*
17 *arian, Disaster Assistance, and Civic Aid; procurement;*
18 *research, development, test and evaluation; military con-*
19 *struction; the Defense Health Program; and working capital*
20 *funds: Provided further, That the funds transferred shall be*
21 *merged with and shall be available for the same purposes*
22 *and for the same time period, as the appropriation to which*
23 *transferred: Provided further, That the transfer authority*
24 *provided in this paragraph is in addition to any other*
25 *transfer authority available to the Department of Defense:*

1 *Provided further, That the Secretary of Defense shall submit*
2 *a report no later than 30 days after the end of each fiscal*
3 *quarter to the Defense Oversight Committees of the details*
4 *of any transfer of funds from the “Defense Emergency Re-*
5 *sponse Fund”:* *Provided further, That upon a determina-*
6 *tion that all or part of the funds transferred from this ap-*
7 *propriation are not necessary for the purposes provided*
8 *herein, such amounts may be transferred back to this appro-*
9 *priation.*

10 **GENERAL PROVISIONS, THIS CHAPTER**

11 *SEC. 301. Under the heading, “Operation and Mainte-*
12 *nance, Defense-Wide”, in title II of the Department of De-*
13 *fense Appropriations Act, 2003 (Public Law 107–248),*
14 *strike “\$25,000,000” and insert “\$50,000,000”. Section*
15 *166a of title 10, United States Code, is amended by striking*
16 *“\$7,000,000” in subsection (e)(1)(A) and inserting*
17 *“\$15,000,000”; by striking “\$1,000,000” in subsection*
18 *(e)(1)(B) and inserting “\$10,000,000”; and by striking*
19 *“\$2,000,000” in subsection (e)(1)(C) and inserting*
20 *“\$10,000,000”.*

21 *SEC. 302. Under the heading, “Operation and Mainte-*
22 *nance, Defense-Wide”, in title II of the Department of De-*
23 *fense Appropriations Act, 2003 (Public Law 107–248),*
24 *strike “\$34,500,000” and insert “\$45,000,000”.*

(TRANSFER OF FUNDS)

1
2 *SEC. 303. Section 8005 of the Department of Defense*
3 *Appropriations Act, 2003 (Public Law 107–248), is amend-*
4 *ed—*

5 *(1) by striking “\$2,000,000,000”, and inserting*
6 *“\$3,500,000,000”; and*

7 *(2) by striking the date “May 31, 2003”, and in-*
8 *serting “June 30, 2003”.*

(TRANSFER OF FUNDS)

10 *SEC. 304. In addition to amounts made available else-*
11 *where in this Act for the Department of Defense,*
12 *\$165,000,000 is appropriated to the Department of Defense*
13 *to reimburse applicable appropriations for the value of*
14 *drawdown support provided by the Department of Defense*
15 *under the Afghanistan Freedom Support Act of 2002: Pro-*
16 *vided, That this appropriation shall not increase the limi-*
17 *tation set forth in section 202(b) of that Act: Provided fur-*
18 *ther, That the Secretary of Defense may transfer the funds*
19 *provided herein to the applicable appropriations of the De-*
20 *partment of Defense: Provided further, That the funds*
21 *transferred shall be merged with and shall be available for*
22 *the same purposes and for the same time period as the ap-*
23 *propriation to which transferred: Provided further, That the*
24 *transfer authority provided in this section is in addition*
25 *to any other transfer authority available to the Department*
26 *of Defense.*

1 *tive Threat Reduction funds for a prior fiscal year*
2 *that remain available for obligation as of the date of*
3 *the enactment of this Act, for proliferation threat re-*
4 *duction projects and activities outside the states of the*
5 *former Soviet Union if the President determines that*
6 *such projects and activities will:*

7 *(A) assist the United States in the resolu-*
8 *tion of critical emerging proliferation threats; or*

9 *(B) permit the United States to take advan-*
10 *tage of opportunities to achieve long-standing*
11 *nonproliferation goals.*

12 *(2) The amount that may be obligated under*
13 *paragraph (1) in each fiscal year for projects and ac-*
14 *tivities described in that paragraph may not exceed*
15 *\$50,000,000.*

16 *(b) AUTHORIZED USES OF FUNDS.—The authority*
17 *under subsection (a) to use Cooperative Threat Reduction*
18 *funds for a project or activity includes authority to provide*
19 *equipment, goods, and services for the project or activity,*
20 *and shall be subject to 22 U.S.C. Sec. 5955.*

21 *SEC. 308. None of the funds provided in this Act may*
22 *be used to fund a program previously prohibited by the*
23 *Congress, or to initiate a new procurement or research, de-*
24 *velopment, test and evaluation program without prior noti-*
25 *fication of the congressional defense committees.*

1 *SEC. 309. The Secretary of Defense shall notify the*
2 *congressional defense committees no later than 15 days after*
3 *the obligation of funds appropriated in this Act for military*
4 *construction activities or minor construction in excess of*
5 *\$7,500,000.*

6 *SEC. 310. From funds appropriated in the Department*
7 *of Defense Appropriations Act, 2003, Public Law 107–248,*
8 *under the heading “Operation and Maintenance, Air*
9 *Force”, not more than \$6,800,000 is available to build and*
10 *install fiber optic and power improvements and upgrades*
11 *at the 11th Air Force Range.*

12 *SEC. 311. Section 811(b) of the Bob Stump National*
13 *Defense Authorization Act for Fiscal Year 2003 (Public*
14 *Law 107–314; 116 Stat. 2608; 10 U.S.C. 2406c note) is*
15 *amended by striking “on or after the date of the enactment*
16 *of this Act” and inserting “on or after January 1, 2004”.*

17 *SEC. 312. From funds appropriated in the Department*
18 *of Defense Appropriations Act, 2003, Public Law 107–248,*
19 *under the heading “Operation and Maintenance, Army Na-*
20 *tional Guard”, not more than \$3,000,000 is available to*
21 *build an Infantry Brigade Rifle Range for the South Caro-*
22 *lina National Guard.*

23 *SEC. 313. Appropriations available during fiscal year*
24 *2003 under the heading “Operation and Maintenance,*
25 *Army” for the Air Battle Captain program at the Univer-*

1 *sity of North Dakota, may be used to provide summer flight*
2 *training to United States Military Academy cadets.*

3 *SEC. 314. (a) INCREASE IN IMMINENT DANGER SPE-*
4 *CIAL PAY.—Section 310(a) of title 37, United States Code,*
5 *is amended by striking “\$150” and inserting “\$225”.*

6 *(b) INCREASE IN FAMILY SEPARATION ALLOWANCE.—*
7 *Section 427(a)(1) of title 37, United States Code, is amend-*
8 *ed by striking “\$100” and inserting “\$250”.*

9 *(c) EXPIRATION.—(1) The amendments made by sub-*
10 *sections (a) and (b) shall expire on September 30, 2003.*

11 *(2) Effective on September 30, 2003, sections 310(a)*
12 *of title 37, United States Code, and 427(a)(1) of title 37,*
13 *United States Code, as in effect on the day before the date*
14 *of the enactment of this Act are hereby revived.*

15 *(d) EFFECTIVE DATE.—The amendments made by*
16 *subsections (a) and (b) shall take effect on October 1, 2002*
17 *and shall apply with respect to months beginning on or*
18 *after that date.*

19 *SEC. 315. (a) None of the funds appropriated by this*
20 *Act may be obligated or expended to reduce the number of*
21 *American Registry of Pathology personnel used by the*
22 *Armed Forces Institute of Pathology for programs, projects,*
23 *and activities of the Institute during fiscal year 2003 below*
24 *the number of such personnel who are so used as of April*
25 *1, 2003.*

1 (b) *Of the total amount appropriated by chapter 3 of*
2 *title I under the heading “Defense Health Program”,*
3 *\$7,500,000 shall be available for the Armed Forces Institute*
4 *of Pathology.*

5 *SEC. 316. Of the funds appropriated in the Depart-*
6 *ment of Defense Appropriations Acts, the following funds*
7 *are hereby rescinded from the following account and pro-*
8 *gram in the specified amount: “Research, Development,*
9 *Test and Evaluation, Navy, 2003”, \$3,400,000.*

10 *SEC. 317. In the case of a member of the Armed Forces*
11 *who is ill or injured as described in section 411h of title*
12 *37, United States Code, as a result of service on active duty*
13 *in support of Operation Noble Eagle, Operation Enduring*
14 *Freedom or Operation Iraqi Freedom, the travel and trans-*
15 *portation benefits under that section may be provided to*
16 *members of the family of the ill or injured member without*
17 *regard to whether there is a determination that the presence*
18 *of the family member may contribute to the member’s health*
19 *and welfare.*

20 *SEC. 318. (a) For a member of the Armed Forces medi-*
21 *cally evacuated for treatment in a medical facility, or for*
22 *travel to a medical facility or the member’s home station,*
23 *by reason of an illness or injury incurred or aggravated*
24 *by the member while on active duty in support of Operation*
25 *Noble Eagle, Operation Enduring Freedom or Operation*

1 *Iraqi Freedom, the Secretary of the military department*
2 *concerned may procure civilian attire suitable for wear by*
3 *the member during the travel.*

4 *(b) The Secretary may not expend more than \$250 for*
5 *the procurement of civilian attire for any member under*
6 *subsection (a).*

7 *CHAPTER 4*

8 *DEPARTMENT OF DEFENSE—CIVIL*

9 *DEPARTMENT OF THE ARMY*

10 *CORPS OF ENGINEERS—CIVIL*

11 *OPERATIONS AND MAINTENANCE, GENERAL*

12 *—For an additional amount for homeland security ex-*
13 *penses, for “Operations and Maintenance, General”,*
14 *\$29,000,000, to remain available until expended.*

15 *DEPARTMENT OF THE INTERIOR*

16 *BUREAU OF RECLAMATION*

17 *WATER AND RELATED RESOURCES*

18 *—For an additional amount for homeland security ex-*
19 *penses, for “Water and Related Resources”, \$25,000,000, to*
20 *remain available until expended.*

21 *DEPARTMENT OF ENERGY*

22 *ENERGY PROGRAMS*

23 *SCIENCE*

24 *For an additional amount for “Science” for expenses*
25 *necessary to support safeguards and security of nuclear and*

1 *other facilities and for other purposes, \$11,000,000, to re-*
2 *main available until expended.*

3 *ATOMIC ENERGY DEFENSE ACTIVITIES*

4 *NATIONAL NUCLEAR SECURITY ADMINISTRATION*

5 *WEAPONS ACTIVITIES*

6 *For an additional amount for “Weapons Activities”*
7 *for expenses necessary to safeguard nuclear weapons and*
8 *nuclear material, \$61,000,000, to remain available until ex-*
9 *pended: Provided, That \$25,000,000 of the funds provided*
10 *shall be available for secure transportation asset activities:*
11 *Provided further, That \$36,000,000 of the funds provided*
12 *shall be available to meet increased safeguards and security*
13 *needs throughout the nuclear weapons complex.*

14 *NUCLEAR NONPROLIFERATION*

15 *For an additional amount for “Nuclear Nonprolifera-*
16 *tion” for expenses necessary to safeguard fissile nuclear ma-*
17 *terial, \$150,000,000, to remain available until expended:*
18 *Provided, That \$84,000,000 of the funds provided shall be*
19 *available for the development and deployment of nuclear de-*
20 *tectors at mega seaports, in coordination with the Depart-*
21 *ment of Homeland Security Bureau of Customs and Border*
22 *Protection: Provided further, That \$17,000,000 of the funds*
23 *provided shall be available for detection and deterrence of*
24 *radiological dispersal devices: Provided further, That*
25 *\$17,000,000 of the funds provided shall be available for non-*

1 *proliferation assistance to nations other than the Former*
2 *Soviet Union: Provided further, That \$15,000,000 of the*
3 *funds provided shall be available for nuclear nonprolifera-*
4 *tion verification programs, including \$2,500,000 for the*
5 *Caucasus Seismic Network: Provided further, That*
6 *\$5,000,000 of the funds provided shall be available for the*
7 *packaging and disposition of any nuclear material found*
8 *in Iraq: Provided further, That \$5,000,000 of the funds pro-*
9 *vided shall be available for nuclear material detection mate-*
10 *rials and devices: Provided further, That \$5,000,000 of the*
11 *funds provided shall be available for international export*
12 *control cooperation activities: Provided further, That*
13 *\$2,000,000 of the funds provided shall be available for vul-*
14 *nerability assessments of spent nuclear fuel casks.*

15 *ENVIRONMENTAL AND OTHER DEFENSE*

16 *ACTIVITIES*

17 *DEFENSE ENVIRONMENTAL RESTORATION AND WASTE*

18 *MANAGEMENT*

19 *For an additional amount for “Defense Environ-*
20 *mental Restoration and Waste Management”, for expenses*
21 *necessary to support safeguards and security activities at*
22 *nuclear and other facilities, \$6,000,000, to remain available*
23 *until expended.*

1 *OTHER DEFENSE ACTIVITIES*

2 *–For an additional amount for “Other Defense Activi-*
3 *ties”, \$18,000,000, to remain available until expended, for*
4 *increased safeguards and security of Department of Energy*
5 *facilities and personnel, including intelligence and counter-*
6 *intelligence activities: Provided, That this amount shall be*
7 *available for transfer to other accounts within the Depart-*
8 *ment of Energy for other expenses necessary to support ele-*
9 *vated security conditions 15 days after a notification to the*
10 *Congress of the proposed transfers.*

11 *CHAPTER 5*12 *BILATERAL ECONOMIC ASSISTANCE*13 *FUNDS APPROPRIATED TO THE PRESIDENT*14 *UNITED STATES AGENCY FOR INTERNATIONAL*15 *DEVELOPMENT*16 *CHILD SURVIVAL AND HEALTH PROGRAMS FUNDS*

17 *For an additional amount for “Child Survival and*
18 *Health Programs Fund”, \$90,000,000.*

19 *INTERNATIONAL DISASTER ASSISTANCE*

20 *For an additional amount for “International Disaster*
21 *Assistance”, \$112,500,000: Provided, That amounts made*
22 *available pursuant to section 492(b) of the Foreign Assist-*
23 *ance Act of 1961 for the purpose of addressing relief and*
24 *rehabilitation needs in Iraq, prior to enactment of this Act,*
25 *shall be in addition to the amount that may be obligated*
26 *in any fiscal year under that section.*

1 year: *Provided further, That all fees associated with the*
2 *loan guarantees shall be paid by the Government of Israel*
3 *to the Government of the United States: Provided further,*
4 *That funds made available for assistance to Israel under*
5 *chapter 4 of part II of the Foreign Assistance Act of 1961,*
6 *as amended, may be utilized by the Government of Israel*
7 *to pay such fees to the United States Government: Provided*
8 *further, That such guarantees shall constitute obligations,*
9 *in accordance with the terms of such guarantees, of the*
10 *United States and the full faith and credit of the United*
11 *States is hereby pledged for the full payment and perform-*
12 *ance of such obligations: Provided further, That if less than*
13 *the full amount of guarantees authorized to be made avail-*
14 *able is issued prior to September 30, 2005, the authority*
15 *to issue the balance of such guarantees shall extend to the*
16 *subsequent fiscal year: Provided further, That the President*
17 *shall determine the terms and conditions for issuing guar-*
18 *antees, taking into consideration the budgetary and eco-*
19 *nomie reforms undertaken by Israel: Provided further, That*
20 *if the President determines that these terms and conditions*
21 *have been breached, the President may suspend or terminate*
22 *the provision of all or part of the loan guarantees not yet*
23 *issued under this section.*

1 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*
2 *FOR INTERNATIONAL DEVELOPMENT*

3 *For an additional amount for “Operating Expenses of*
4 *the United States Agency for International Development”,*
5 *\$23,600,000, of which not more than \$2,000,000 may be*
6 *transferred to and merged with “Operating Expenses of the*
7 *United States Agency for International Development Office*
8 *of Inspector General”.*

9 *OTHER BILATERAL ECONOMIC ASSISTANCE*
10 *ECONOMIC SUPPORT FUND*

11 *For an additional amount for “Economic Support*
12 *Fund”, \$2,357,900,000, of which the amounts specified*
13 *herein shall be available as follows:*

14 (1) *\$300,000,000, to remain available until Sep-*
15 *tember 30, 2005, only for grants for Egypt: Provided,*
16 *That during the period beginning March 1, 2003 and*
17 *ending September 30, 2005, loan guarantees may be*
18 *made to Egypt, the principal amount, any part of*
19 *which is to be guaranteed, shall not exceed*
20 *\$2,000,000,000: Provided further, That up to*
21 *\$379,600,000 in funds appropriated under this head-*
22 *ing in prior foreign operations, export financing, and*
23 *related programs appropriations Acts for Egypt, in-*
24 *cluding funds provided as Commodity Import Pro-*

1 *gram assistance, may be made available on a grant*
2 *basis as a cash transfer.*

3 *(2) \$1,000,000,000 to remain available until*
4 *September 30, 2005, only for grants for Turkey: Pro-*
5 *vided, That during the period beginning March 1,*
6 *2003 and ending September 30, 2005, direct loans or*
7 *loan guarantees may be made to Turkey, the prin-*
8 *cipal amount of direct loans or loans, any part of*
9 *which is to be guaranteed, shall not exceed*
10 *\$8,500,000,000: Provided further, That none of the*
11 *funds made available under this heading for Turkey*
12 *may be made available if Turkey unilaterally deploys*
13 *troops into northern Iraq during Operation Iraqi*
14 *Freedom: Provided further, That the Secretary of*
15 *State may waive the requirement of the previous pro-*
16 *viso if he determines that to do so is in the national*
17 *security interest of the United States: Provided fur-*
18 *ther, That any balance of funds not made available*
19 *to Turkey under this paragraph shall be transferred*
20 *to, and merged with, funds appropriated for “Iraq*
21 *Relief and Reconstruction Fund”.*

22 *(3) The Government of Egypt and the Govern-*
23 *ment of Turkey will pay the cost, as defined in sec-*
24 *tion 502 of the Federal Credit Reform Act of 1990, as*
25 *amended, including any non-payment exposure risk,*

1 *associated with these loan guarantees: Provided fur-*
2 *ther, That all fees associated with these loan guaran-*
3 *tees or loans shall be paid by the Government of*
4 *Egypt and the Government of Turkey to the Govern-*
5 *ment of the United States: Provided further, That*
6 *funds made available for assistance for Egypt and*
7 *Turkey under chapter 4 of Part II of the Foreign As-*
8 *sistance Act of 1961, as amended, may be utilized by*
9 *the Government of Egypt and the Government of Tur-*
10 *key to pay such fees and costs to the United States*
11 *Government: Provided further, That such guarantees*
12 *shall constitute obligations, in accordance with the*
13 *terms of such guarantees, of the United States and the*
14 *full faith and credit of the United States is hereby*
15 *pledged for the full payment and performance of such*
16 *obligations: Provided further, That the President shall*
17 *determine the terms and conditions for providing the*
18 *economic assistance authorized in paragraphs (1) and*
19 *(2): Provided further, That if the President deter-*
20 *mines that these terms and conditions have been*
21 *breached, the President may suspend or terminate the*
22 *provision of all or part of such economic assistance*
23 *not yet outlaid under this heading, and shall trans-*
24 *fer, and merge, such economic assistance with the*
25 *“Iraq Relief and Reconstruction Fund”.*

1 *That the President may furnish assistance under this head-*
2 *ing notwithstanding any other provision of law: Provided*
3 *further, That the previous proviso shall not apply to section*
4 *553 of Public Law 108–7: Provided further, That funds ap-*
5 *propriated under this heading shall be subject to the regular*
6 *notification procedures of the Committees on Appropria-*
7 *tions, except that notifications shall be transmitted at least*
8 *5 days in advance of the obligations of funds: Provided fur-*
9 *ther, That the requirements of the previous proviso may be*
10 *waived if failure to do so would pose a substantial risk to*
11 *human health or welfare: Provided further, That in case*
12 *of any such waiver, notification to the Committees on Ap-*
13 *propriations shall be provided as early as practicable, but*
14 *in no event later than 3 days after taking the action to*
15 *which such notification requirement was applicable, in the*
16 *context of the circumstances necessitating such waiver: Pro-*
17 *vided further, That any notification provided pursuant to*
18 *such waiver shall contain an explanation of the emergency*
19 *circumstances.*

1 *INDEPENDENT AGENCIES*
2 *DEPARTMENT OF STATE*
3 *INTERNATIONAL NARCOTICS CONTROL AND LAW*
4 *ENFORCEMENT*

5 *For an additional amount for “International Nar-*
6 *cotics Control and Law Enforcement”, \$25,000,000, to re-*
7 *main available until September 30, 2004.*

8 *ANDEAN COUNTERDRUG INITIATIVE*
9 *For an additional amount for the “Andean*
10 *Counterdrug Initiative”, \$34,000,000, to remain available*
11 *until September 30, 2004: Provided, That of the funds ap-*
12 *propriated under this heading that are made available for*
13 *Colombia, not less than \$5,000,000 should be made avail-*
14 *able for programs and activities to assist women and chil-*
15 *dren who have been displaced as a result of armed conflict.*

16 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*
17 *ASSISTANCE FUND*

18 *For an additional amount for “United States Emer-*
19 *gency Refugee and Migration Assistance Fund”,*
20 *\$75,000,000, to remain available until expended, notwith-*
21 *standing section 2(c)(2) of the Migration and Refugee As-*
22 *sistance Act of 1962, as amended (22 U.S.C. 2601(c)(2)).*

1 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*
2 *RELATED PROGRAMS*

3 *For an additional amount for “Nonproliferation,*
4 *Anti-Terrorism, Demining and Related Programs”,*
5 *\$28,000,000: Provided, That funds appropriated by this*
6 *paragraph shall be available notwithstanding section 10 of*
7 *Public Law 91–672 and section 15 of the State Department*
8 *Basic Authorities Act of 1956.*

9 *MILITARY ASSISTANCE*

10 *FUNDS APPROPRIATED TO THE PRESIDENT*

11 *FOREIGN MILITARY FINANCING PROGRAM*

12 *For an additional amount for “Foreign Military Fi-*
13 *nancing Program”, \$2,059,100,000: Provided, That funds*
14 *appropriated by this paragraph shall be available notwith-*
15 *standing section 10 of Public Law 91–672 and section 15*
16 *of the State Department Basic Authorities Act of 1956: Pro-*
17 *vided further, That of the funds appropriated under this*
18 *heading, not less than \$1,000,000,000 shall be made avail-*
19 *able for assistance for Israel and not less than \$406,000,000*
20 *shall be made available for assistance for Jordan: Provided*
21 *further, That the funds appropriated by this paragraph for*
22 *Israel shall be disbursed within 30 days of the enactment*
23 *of this Act: Provided further, That to the extent that the*
24 *Government of Israel requests that funds be used for such*
25 *purposes, grants made available for Israel by this para-*

1 *graph shall, as agreed by Israel and the United States, be*
 2 *available for advanced weapons systems, of which not less*
 3 *than \$263,000,000 shall be available for the procurement*
 4 *in Israel of defense articles and defense services, including*
 5 *research and development: Provided further, That up to*
 6 *\$20,000,000 of the funds appropriated by this paragraph*
 7 *may be transferred to and merged with funds appropriated*
 8 *under the heading “Andean Counterdrug Initiative” for*
 9 *aircraft, training, and other assistance for the Colombian*
 10 *Armed Forces: Provided further, That funds appropriated*
 11 *under this heading shall be subject to the regular notifica-*
 12 *tion procedures of the Committees on Appropriations, ex-*
 13 *cept that notifications shall be transmitted at least 10 days*
 14 *in advance of the obligation of funds.*

15 *PEACEKEEPING OPERATIONS*

16 *For an additional amount for “Peacekeeping Oper-*
 17 *ations”, \$150,000,000.*

18 *OTHER BILATERAL ECONOMIC ASSISTANCE*

19 *FUNDS APPROPRIATED TO THE PRESIDENT*

20 *IRAQ RELIEF AND RECONSTRUCTION FUND*

21 *(INCLUDING TRANSFERS OF FUNDS)*

22 *For necessary expenses for humanitarian assistance in*
 23 *and around Iraq and for rehabilitation and reconstruction*
 24 *in Iraq, \$2,468,300,000, including for the costs of: (1) feed-*
 25 *ing and food distribution; (2) supporting relief efforts re-*
 26 *lated to refugees, internally displaced persons, and vulner-*

1 *able individuals, including assistance for families of inno-*
2 *cent Iraqi civilians who suffer losses as a result of military*
3 *operations; (3) humanitarian demining; (4) healthcare; (5)*
4 *water/sanitation infrastructure; (6) education; (7) elec-*
5 *tricity; (8) transportation; (9) telecommunications; (10)*
6 *rule of law and governance; (11) economic and financial*
7 *policy; and (12) agriculture: Provided, That these funds*
8 *may be transferred to and made available for any Federal*
9 *Government activity, other than any Department of Defense*
10 *activity, for expenses to meet such costs: Provided further,*
11 *That upon a determination that all or part of the funds*
12 *transferred from this appropriation are not necessary for*
13 *the purposes provided herein, such amounts may be trans-*
14 *ferred back to this appropriation: Provided further, That*
15 *funds appropriated under this heading shall be used to fully*
16 *reimburse accounts administered by the Department of*
17 *State and the United States Agency for International De-*
18 *velopment, not otherwise reimbursed from funds appro-*
19 *priated by this chapter, for obligations incurred for the pur-*
20 *poses provided under this heading prior to enactment of this*
21 *Act from funds appropriated for foreign operations, export*
22 *financing, and related programs: Provided further, That*
23 *prior to the initial transfer of funds made available under*
24 *this heading to any Agency or Department, the Secretary*
25 *of State shall consult with the Committees on Appropria-*

1 tions on plans for the use of the funds appropriated under
2 this heading that will be used for assistance for Iraq: Pro-
3 vided further, That the United States may accept from any
4 person, foreign government, or international organization,
5 and credit to this Fund, any contribution of money for such
6 purposes: Provided further, That funds appropriated under
7 this heading shall be available notwithstanding any other
8 provision of law, including section 10 of Public Law 91-
9 672 and section 15 of the State Department Basic Authori-
10 ties Act of 1956: Provided further, That the previous proviso
11 shall not apply to section 553 of Public Law 108-7: Pro-
12 vided further, That funds appropriated under this heading
13 shall be subject to the regular notification procedures of the
14 Committees on Appropriation, except that notifications
15 shall be transmitted at least 5 days in advance of the obliga-
16 tions of funds: Provided further, That of the funds appro-
17 priated under this heading, \$4,300,000 shall be made avail-
18 able to the United States Agency for International Develop-
19 ment Office of Inspector General for the purpose of moni-
20 toring and auditing expenditures for reconstruction and re-
21 lated activities in Iraq: Provided further, That such sums
22 are in addition to funds otherwise made available by this
23 Act to such office

1 *GENERAL PROVISIONS, THIS CHAPTER*

2 *SEC. 501. Any appropriation made available in this*
3 *chapter under the headings “International Disaster Assist-*
4 *ance”, “United States Emergency Refugee and Migration*
5 *Assistance Fund”, “Nonproliferation, Anti-Terrorism,*
6 *Demining and Related Programs”, “Peacekeeping Oper-*
7 *ations”, or “Iraq Relief and Reconstruction Fund” may be*
8 *transferred between such appropriations for use for any of*
9 *the purposes for which the funds in the such receiving ac-*
10 *count may be used: Provided, That the total amount trans-*
11 *ferred from funds appropriated under each of these headings*
12 *shall not exceed \$200,000,000: Provided further, That the*
13 *Secretary of State shall consult with the Committee on Ap-*
14 *propriations prior to exercising the authority contained in*
15 *this section: Provided further, That funds made available*
16 *pursuant to the authority of this section shall be subject*
17 *to the regular notification procedures of the Committees on*
18 *Appropriations, except that notification shall be trans-*
19 *mitted at least 5 days in advance of the obligations of funds.*

20 *SEC. 502. Assistance or other financing under this*
21 *chapter may be made available for assistance to Iraq not-*
22 *withstanding any other provision of law: Provided, That*
23 *the authority contained in this section shall not apply to*
24 *section 553 of Public Law 108–7: Provided further, That*
25 *funds made available for assistance for Iraq pursuant to*

1 *this authority shall be subject to the regular notification*
2 *procedures of the Committees on Appropriations and sec-*
3 *tion 634A of the Foreign Assistance Act of 1961, except that*
4 *notification shall be transmitted at least 5 days in advance*
5 *of the obligation of funds.*

6 *SEC. 503. The Iraq Sanctions Act of 1990 is hereby*
7 *repealed: Provided, That nothing in this section shall affect*
8 *the applicability of the Iran-Iraq Arms Non-Proliferation*
9 *Act of 1992 (Public Law 102-484), except as such Act ap-*
10 *plies to water purification items and other humanitarian*
11 *assistance for the Iraqi people: Provided further, That the*
12 *President may make inapplicable with respect to Iraq sec-*
13 *tion 620A of the Foreign Assistance Act of 1961, as amend-*
14 *ed, or other provision of law that applies to countries that*
15 *have supported terrorism: Provided further, That section*
16 *307 of the Foreign Assistance of 1961, as amended, shall*
17 *not apply with respect to programs of international organi-*
18 *zations for Iraq: Provided further, That provisions of law*
19 *that direct the United States Government to vote against*
20 *or oppose loans or other uses of funds, including for finan-*
21 *cial or technical assistance, in international financial insti-*
22 *tutions for Iraq should not be construed as applying to Iraq.*

23 *SEC. 504. Notwithstanding any other provision of law,*
24 *the President may authorize the export to Iraq of any item*
25 *subject to the Export Administration Regulations, 15 CFR*

1 *chapter VII, subchapter C, or controlled under the Inter-*
2 *national Trafficking in Arms Regulations on the United*
3 *States Munitions List established pursuant to section 38 of*
4 *the Arms Export Control Act, 22 U.S.C. 2778, if the Presi-*
5 *dent determines that the export of such item is in the na-*
6 *tional interest of the United States.*

7 *SEC. 505. Of the funds appropriated by this chapter*
8 *under the heading “Economic Support Fund”, \$10,000,000*
9 *should be made available for investigations and research*
10 *into allegations of war crimes, crimes against humanity,*
11 *or genocide committed by Saddam Hussein or other Iraqis,*
12 *and for the establishment of an international tribunal to*
13 *bring these individuals to justice: Provided, That 90 days*
14 *after enactment of this Act, the Secretary of State shall re-*
15 *port to the Committees on Appropriations on plans for the*
16 *prosecution of these individuals, including jurisdictional*
17 *options.*

18 *SEC. 506. It is the Sense of the Senate that, to the*
19 *maximum extent practicable, contracts (including sub-*
20 *contracts) and grants for relief and reconstruction in Iraq*
21 *from funds appropriated under this chapter should be*
22 *awarded to United States companies (particularly small*
23 *and medium sized businesses) and organizations, to compa-*
24 *nies and organizations located in the Near East region, and*

1 *to those from countries which have provided assistance to*
2 *Operation Iraqi Freedom.*

3 *SEC. 507. It is the sense of the Senate that the recon-*
4 *struction of Iraq should be funded to the maximum extent*
5 *practicable from revenues produced by Iraqi oil and that*
6 *the United States Government should work with our allies,*
7 *the future government of a free Iraq, and other appropriate*
8 *entities to establish the necessary framework for this ar-*
9 *rangement.*

10 *SEC. 508. Division E of Public Law 108–7, under the*
11 *heading “Assistance for the Independent States of the*
12 *Former Soviet Union”, is amended by inserting in sub-*
13 *section (f) before the period: “: Provided further, That such*
14 *funds may be made available without regard to the restric-*
15 *tion in this subsection if the Secretary of State determines*
16 *that to do so is in the national security interest of the*
17 *United States”.*

18 *CHAPTER 6*

19 *DEPARTMENT OF HOMELAND SECURITY*

20 *DEPARTMENTAL MANAGEMENT*

21 *COUNTERTERRORISM FUND*

22 *For an additional amount for the “Counterterrorism*
23 *Fund,” for necessary expenses as determined by the Sec-*
24 *retary of Homeland Security, \$1,135,000,000, to remain*
25 *available until December 31, 2003, to reimburse any De-*

1 *partment of Homeland Security organization for the costs*
2 *of providing support to prevent, counter, investigate, re-*
3 *spond to, or prosecute unexpected threats or acts of ter-*
4 *rorism: Provided, That of the total amount appropriated,*
5 *not to exceed \$215,000,000 may be transferred to any au-*
6 *thorized Federal Government activity for necessary expenses*
7 *to detect, prepare for, protect against, or respond to a poten-*
8 *tial terrorist attack: Provided further, That the Secretary*
9 *shall notify the Committees on Appropriations of the Senate*
10 *and House of Representatives 15 days prior to the obliga-*
11 *tion of any amount of these funds.*

12 *BORDER AND TRANSPORTATION SECURITY*

13 *OFFICE FOR DOMESTIC PREPAREDNESS*

14 *For an additional amount for the “Office for Domestic*
15 *Preparedness”, as authorized by Sections 403(5) and 430*
16 *of the Homeland Security Act of 2002 (Public Law 107–*
17 *296) and Section 1014 of the USA PATRIOT ACT of 2001*
18 *(Public Law 107–56), for grants, contracts, cooperative*
19 *agreements, and other activities, including grants to States*
20 *for terrorism prevention activities, \$2,200,000,000, to re-*
21 *main available until expended: Provided, That of the total*
22 *amount appropriated, \$1,270,000,000 shall be made avail-*
23 *able for grants to states, and each state grant award shall*
24 *ensure that at least 80 percent of the total amount of the*
25 *grant shall be allocated to local governments within 60 days*

1 *of receipt of the funds: Provided further, That of the total*
2 *amount appropriated, \$300,000,000 shall be made available*
3 *for grants to states for critical infrastructure protection,*
4 *and each grant award shall ensure that no less than one-*
5 *third of the total amount of the grant shall be allocated to*
6 *local governments within 60 days of receipt of the funds:*
7 *Provided further, That of the total amount appropriated,*
8 *\$600,000,000 shall be made available for protection or pre-*
9 *paredness of high-threat urban areas, as determined by the*
10 *Secretary of Homeland Security.*

11 *COAST GUARD*

12 *OPERATING EXPENSES*

13 *For an additional amount for “Operating Expenses”*
14 *for the Coast Guard in support of Department of Defense*
15 *initiatives in relation to Operation Iraqi Freedom and Op-*
16 *eration Liberty Shield, \$580,000,000, to remain available*
17 *until December 31, 2003: Provided, That the Secretary shall*
18 *notify the Committees on Appropriations of the Senate and*
19 *House of Representatives 15 days prior to obligation of any*
20 *amount of these funds.*

21 *FEDERAL EMERGENCY MANAGEMENT AGENCY*

22 *DISASTER RELIEF*

23 *(INCLUDING TRANSFERS OF FUNDS)*

24 *EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE*

25 *For an additional amount, not otherwise provided for,*
26 *to carry out activities under the National Flood Insurance*

1 *Act of 1968 and the Flood Disaster Protection Act of 1973*
2 *(42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster*
3 *Relief and Emergency Assistance Act (42 U.S.C. 5121 et*
4 *seq.), the Earthquake Hazards Reduction Act of 1977 (42*
5 *U.S.C. 7701 et seq.), the Federal Fire Prevention and Con-*
6 *trol Act of 1974 (15 U.S.C. 2201 et seq.), the Defense Pro-*
7 *duction Act of 1950 (50 U.S.C. App. 2061 et seq.), sections*
8 *107 and 303 of the National Security Act of 1947 (50*
9 *U.S.C. 404–405), and Reorganization Plan No. 3 of 197,*
10 *\$109,500,000, to remain available until expended: Pro-*
11 *vided, That this amount shall be for grants to improve pub-*
12 *lic safety communications and interoperability.*

13 *GENERAL PROVISION, THIS CHAPTER*

14 *SEC. 601. The Bureau of Customs and Border Protec-*
15 *tion shall inspect all commercial motor vehicles (as defined*
16 *in section 31101(1) of title 49, United States Code) car-*
17 *rying municipal solid waste and seeking to enter the United*
18 *States through the Blue Water Bridge port-of-entry in Port*
19 *Huron, Michigan, and the Ambassador Bridge port-of-entry*
20 *in Detroit, Michigan, and ensure that by May 2003, the*
21 *Blue Water Bridge in Port Huron, Michigan, shall be—*

22 *(1) equipped with radiation detection equipment;*

23 *and*

24 *(2) staffed by Bureau inspectors formally trained*

25 *in the process of detecting radioactive materials in*

1 *cargo and equipped with both portal monitor devices*
2 *and hand-held isotope identifiers.*

3 *SEC. 602. TSA TO ISSUE LETTERS OF INTENT RE-*
4 *GARDING INSTALLATION OF EDS AT AIRPORTS. (a) IN GEN-*
5 *ERAL.—The Under Secretary of Homeland Security for*
6 *Transportation and Border Security may issue letters of*
7 *intent to airports to provide assistance for the installation*
8 *of explosive detection systems by the date prescribed by sec-*
9 *tion 44901(d)(2)(i) of title 49, United States Code.*

10 *(b) REPORT.—Beginning 30 days after the date of en-*
11 *actment of this Act, and every 60 days thereafter in cal-*
12 *endar year 2003, the Under Secretary shall transmit a clas-*
13 *sified report to the House of Representatives Committee on*
14 *Appropriations, the Senate Committee on Appropriations,*
15 *the House of Representatives Committee on Transportation*
16 *and Infrastructure, and the Senate Committee on Com-*
17 *merce, Science, and Transportation describing each letter*
18 *of intent issued by the Under Secretary under subsection*
19 *(a).*

20 *SEC. 603. In accordance with section 873(b) of the*
21 *Homeland Security Act of 2002 (6 U.S.C. 453(b)), the Bu-*
22 *reau of Customs and Border Protection may accept dona-*
23 *tions of body armor for United States border patrol agents*
24 *and United States border patrol canines if such donations*
25 *would further the mission of protecting our Nation's border*

1 *and ports of entry as determined by the Under Secretary*
2 *for Border and Transportation Security.*

3 *CHAPTER 7*
4 *DEPARTMENT OF HEALTH AND HUMAN*
5 *SERVICES*
6 *OFFICE OF THE SECRETARY*

7 *PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND*
8 *For an additional amount for the “Public Health and*
9 *Social Services Emergency Fund”, \$35,000,000 for costs as-*
10 *sociated with compensating individuals with injuries re-*
11 *sulting from smallpox vaccinations and countermeasures,*
12 *to remain available until expended: Provided, That such*
13 *funds shall become available only upon the enactment of*
14 *legislation authorizing a smallpox vaccination compensa-*
15 *tion program.*

16 *SMALLPOX AND OTHER BIOTERRORISM INOCULATION*
17 *ACTIVITIES*

18 *For additional expenses necessary to support grants to*
19 *States for smallpox and other bioterrorism inoculation ac-*
20 *tivities, \$105,000,000, to remain available until September*
21 *30, 2004: Provided, That this amount is transferred to the*
22 *Centers for Disease Control and Prevention.*

23 *SEVERE ACUTE RESPIRATORY SYNDROME (SARS)*

24 *For an additional amount for “Centers for Disease*
25 *Control and Prevention, Disease Control, Research, and*
26 *Training”, \$16,000,000 for costs associated with the preven-*

1 *tion and control of Severe Acute Respiratory Syndrome*
2 *(SARS).*

3 *GENERAL PROVISION*

4 *REPATRIATION*

5 *SEC. 701. Section 1113(d) of the Social Security Act*
6 *(42 U.S.C. 1313(d)), is amended by striking “1991” and*
7 *inserting “2003”.*

8 *CHAPTER 8*

9 *LEGISLATIVE BRANCH*

10 *CAPITOL POLICE*

11 *GENERAL EXPENSES*

12 *For an additional amount for “General expenses”,*
13 *\$38,165,000, to remain available until expended.*

14 *OFFICE OF COMPLIANCE*

15 *SALARIES AND EXPENSES*

16 *For an additional amount for “Salaries and ex-*
17 *penses”, \$111,000.*

18 *ARCHITECT OF THE CAPITOL*

19 *GENERAL ADMINISTRATION*

20 *For an additional amount for “General administra-*
21 *tion”, \$18,672,000, which shall remain available until Sep-*
22 *tember 30, 2007.*

23 *CAPITOL BUILDING*

24 *For an additional amount for “Capitol building”,*
25 *\$1,100,000.*

1 *CAPITOL POWER PLANT*

2 *For an additional amount for “Capitol power plant”,*
3 *\$14,600,000, which shall remain available until September*
4 *30, 2007.*

5 *CAPITOL POLICE BUILDINGS AND GROUNDS*

6 *For an additional amount for “Capitol police build-*
7 *ings and grounds”, \$40,140,000, to remain available until*
8 *September 30, 2007.*

9 *LIBRARY OF CONGRESS*10 *SALARIES AND EXPENSES*

11 *For an additional amount for “Salaries and ex-*
12 *penses”, \$5,500,000 to remain available until September*
13 *30, 2007.*

14 *CONGRESSIONAL RESEARCH SERVICE*15 *SALARIES AND EXPENSES*

16 *For an additional amount for “Salaries and ex-*
17 *penses”, \$1,863,000, to remain available until September*
18 *30, 2007.*

19 *GENERAL ACCOUNTING OFFICE*20 *SALARIES AND EXPENSES*

21 *For an additional amount for “Salaries and ex-*
22 *penses”, \$4,849,000.*

23 *GENERAL PROVISIONS, THIS CHAPTER*

24 *SEC. 801. POSTAL PATRON POSTCARDS. The matter*
25 *under the subheading “MISCELLANEOUS ITEMS” under the*

1 heading “CONTINGENT EXPENSES OF THE SENATE” under
2 title I of the Legislative Branch Appropriations Act, 2003
3 (Public Law 108–7) is amended by striking “with a popu-
4 lation of less than 250,000”.

5 CHAPTER 9

6 DEPARTMENT OF DEFENSE

7 MILITARY CONSTRUCTION

8 MILITARY CONSTRUCTION, NAVY

9 For an additional amount for “Military Construction,
10 Navy”, \$48,100,000, to remain available until September
11 30, 2007.

12 MILITARY CONSTRUCTION, AIR FORCE

13 For an additional amount for “Military Construction,
14 Air Force”, \$127,400,000, to remain available until Sep-
15 tember 30, 2007.

16 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR

17 FORCE

18 For an additional amount for “Family Housing Oper-
19 ation and Maintenance, Air Force”, \$2,000,000, to remain
20 available until September 30, 2007.

21 GENERAL PROVISIONS, THIS CHAPTER

22 SEC. 901. (a) Up to \$150,000,000 of the amounts made
23 available to the Department of Defense from funds appro-
24 priated in this Act may be used to carry out military con-
25 struction projects, not otherwise authorized by law, that the

1 *Secretary of Defense certifies are necessary to respond to*
2 *or protect against acts or threatened acts of terrorism or*
3 *to prosecute operations in Iraq.*

4 *(b) Not later than 15 days before obligating amounts*
5 *available under subsection (a) for military construction*
6 *projects referred to in that subsection, the Secretary shall*
7 *notify the appropriate committees of Congress of the fol-*
8 *lowing:*

9 *(1) the determination to use such amounts for*
10 *the project; and*

11 *(2) the estimated cost of the project and the ac-*
12 *companying Form 1391.*

13 *(c) In this section the term “appropriate committees*
14 *of Congress” has the meaning given that term in section*
15 *2801(c)(4) of title 10, United States Code.*

16 *SEC. 902. (a) The Secretary of the Army may accept*
17 *funds from the State of Utah, and credit them to the appro-*
18 *priate Department of the Army accounts for the purpose*
19 *of the funding of the costs associated with extending the*
20 *runway at Michael Army Airfield, Dugway Proving*
21 *Ground, Utah, as part of a previously authorized military*
22 *construction project.*

23 *(b) The Secretary may use the funds accepted for the*
24 *refurbishment, in addition to funds authorized and appro-*
25 *priated for the project. The authority to accept a contribu-*

1 *tion under this section does not authorize the Secretary of*
2 *the Army to reduce expenditures of amounts appropriated*
3 *for the refurbishment project. The funds accepted shall re-*
4 *main available until expended.*

5 *(c) The authority provided in this section shall be effec-*
6 *tive upon the date of the enactment of this Act.*

7 *CHAPTER 10*

8 *DEPARTMENT OF TRANSPORTATION*

9 *MARITIME ADMINISTRATION*

10 *MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM*

11 *ACCOUNT*

12 *For the cost of guaranteed loans, as authorized,*
13 *\$50,000,000, to remain available until September 30, 2005:*
14 *Provided, That such costs, including the cost of modifying*
15 *such loans, shall be as defined in section 502 of the Congres-*
16 *sional Budget Act of 1974, as amended.*

17 *CHAPTER 11*

18 *DEPARTMENT OF VETERANS AFFAIRS*

19 *VETERANS HEALTH ADMINISTRATION*

20 *MEDICAL CARE*

21 *For necessary expenses for the maintenance and oper-*
22 *ation of hospitals, nursing homes, and domiciliary facili-*
23 *ties; for furnishing, as authorized by law, inpatient and*
24 *outpatient care and treatment to beneficiaries of the De-*
25 *partment of Veterans Affairs, including care and treatment*

1 *in facilities not under the jurisdiction of the department;*
2 *and for furnishing recreational facilities, supplies, and*
3 *equipment incident to the provision of hospital care, med-*
4 *ical services, and nursing home care authorized by section*
5 *1710(e)(1)(D) of title 38, United States Code, \$155,000,000:*
6 *Provided, That such amount shall remain available until*
7 *expended.*

8 *TITLE II—MISCELLANEOUS AND TECHNICAL*

9 *CORRECTIONS*

10 *CHAPTER 1*

11 *SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT,*

12 *AND RELATED AGENCIES*

13 *GENERAL PROVISIONS*

14 *SEC. 201. (a) Section 756 in Division A of Public Law*
15 *108–7 is amended by striking “section 7404” and inserting*
16 *in lieu thereof “section 7404(a)(1)”.*

17 *(b) Section 10806(b) of the Farm Security and Rural*
18 *Investment Act of 2002 (21 U.S.C. 321d(b)) is amended by*
19 *adding at the end the following:*

20 *“(3) EFFECTIVE DATE.—This subsection and the*
21 *amendment made by this subsection take effect on*
22 *May 13, 2003.”.*

23 *(c) Section 210 of the Agricultural Assistance Act of*
24 *2003, “Assistance to Agricultural Producers Located in*

1 *New Mexico for Tebuthiuron Application Losses*”, is
2 *amended in subsection (a)—*

3 *(1) by inserting “all” before “losses”;*

4 *(2) by inserting after “losses” the following: “to*
5 *crops, livestock, and trees, and interest and loss of in-*
6 *come, and related expenses”;*

7 *(3) by striking “during calendar years 2002 and*
8 *2003”; and*

9 *(4) by deleting “August” and inserting in lieu*
10 *thereof “July”.*

11 *(d)(1) STUDY ON THE SALE OF MILK INTO CALI-*
12 *FORNIA.—Within 90 days, the Secretary shall report to*
13 *Congress on the economic impacts to California dairy farm-*
14 *ers from handlers or processors of Class I milk products in*
15 *the Las Vegas-Nevada-Arizona region selling milk or milk*
16 *products into the California State order.*

17 *(2) EXEMPTION OF MILK HANDLERS FROM MINIMUM*
18 *PRICE REQUIREMENTS.—Section 8c(5) of the Agricultural*
19 *Adjustment Act (7 U.S.C. 608c(5)), reenacted with amend-*
20 *ments by the Agricultural Marketing Agreement Act of 1937*
21 *(as amended by subsection (a)), is amended by adding at*
22 *the end the following:*

23 *“(N) EXEMPTION OF MILK HANDLERS FROM*
24 *MINIMUM PRICE REQUIREMENTS.—Notwith-*
25 *standing any other provision of this subsection,*

1 *prior to January 1, 2005, no handler with dis-*
2 *tribution of Class I milk products in the Ari-*
3 *zona-Las Vegas marketing area (Order No. 131)*
4 *or Pacific Northwest marketing area (Order No.*
5 *124) shall be exempt during any month from*
6 *any minimum milk price requirement estab-*
7 *lished by the Secretary under this subsection if*
8 *the total distribution of Class I products within*
9 *the Arizona-Las Vegas marketing area or the Pa-*
10 *cific Northwest marketing area of any handler's*
11 *own farm production exceeds the lesser of—*

12 *“(i) 3 percent of the total quantity of*
13 *Class I products distributed in the Arizona-*
14 *Las Vegas marketing area (Order No. 131)*
15 *or the Pacific Northwest marketing area*
16 *(Order No. 124); or*

17 *“(ii) 5,000,000 pounds.”.*

18 (3) *EXCLUSION OF CLARK COUNTY, NEVADA FROM*
19 *FEDERAL MILK MARKETING ORDERS.—*

20 (A) *IN GENERAL.—Section 8c(11)(C) the Agri-*
21 *cultural Adjustment Act (7 U.S.C. 608c(11)(C)), reen-*
22 *acted with amendments by the Agricultural Mar-*
23 *keting Agreement Act of 1937, is amended by striking*
24 *the last sentence and inserting the following: “In the*
25 *case of milk and its products, Clark County, Nevada*

1 *shall not be within a marketing area defined in any*
2 *order issued under this section.”.*

3 *(B) INFORMAL RULEMAKING.—The Secretary of*
4 *Agriculture may modify an order issued under section*
5 *8c of the Agricultural Adjustment Act (7 U.S.C.*
6 *608c), reenacted with amendments by the Agricultural*
7 *Marketing Agreement Act of 1937, to implement the*
8 *amendment made by paragraph (1) by promulgating*
9 *regulations, without regard to sections 556 and 557*
10 *of title 5, United States Code.*

11 *(e) LIVESTOCK COMPENSATION PROGRAM.—Section*
12 *203(a) of the Agricultural Assistance Act of 2003 (title II*
13 *of division N of Public Law 108–7)) is amended by adding*
14 *at the end the following:*

15 “*(3) GRANTS.—*

16 “*(A) IN GENERAL.—To provide assistance*
17 *to eligible applicants under paragraph (2)(B),*
18 *the Secretary shall provide grants to appropriate*
19 *State departments of agriculture (or other appro-*
20 *priate State agencies) that agree to provide as-*
21 *sistance to eligible applicants.*

22 “*(B) AMOUNT.—The total amount of grants*
23 *provided under subparagraph (A) shall be equal*
24 *to the total amount of assistance that the Sec-*

1 *retary determines all eligible applicants are eli-*
2 *gible to receive under paragraph (2)(B).”.*

3 *SEC. 202. USE OF ORGANICALLY PRODUCED FEED*
4 *FOR CERTIFICATION AS ORGANIC FARM. Section 771 of the*
5 *Agriculture, Rural Development, Food and Drug Adminis-*
6 *tration, and Related Agencies Appropriations Act, 2003*
7 *(division A of Public Law 108–7) is repealed.*

8 *SEC. 203. WILD SEAFOOD. Section 2107 of the Organic*
9 *Foods Production Act of 1990 (7 U.S.C. 6503) is amend-*
10 *ed—*

11 *(1) by redesignating subsections (c) and (d) as*
12 *subsections (d) and (e), respectively; and*

13 *(2) by inserting after section (b) the following:*

14 *“(c) WILD SEAFOOD.—*

15 *“(1) IN GENERAL.—Notwithstanding the require-*
16 *ment of section 2107(a)(1)(A) requiring products be*
17 *produced only on certified organic farms, the Sec-*
18 *retary shall allow, through regulations promulgated*
19 *after public notice and opportunity for comment, wild*
20 *seafood to be certified or labeled as organic.*

21 *“(2) CONSULTATION AND ACCOMMODATION.—In*
22 *carrying out paragraph (1), the Secretary shall—*

23 *“(A) consult with—*

24 *“(i) the Secretary of Commerce;*

1 \$2,460,000 shall be transferred to, and merged with, funds
2 provided under the heading “International Fisheries Com-
3 missions” of Division B of Public Law 108–7 and shall
4 only be available for the Pacific Salmon Commission: Pro-
5 vided further, That of the amount provided under this head-
6 ing, \$1,000,000 shall be transferred to, and merged with,
7 funds provided under the heading “International Fisheries
8 Commissions” of Division B of Public Law 108–7 and shall
9 only be available for the Great Lakes Fishery Commission,
10 of which \$500,000 shall be used for sea lamprey control in
11 Lake Champlain: Provided further, That of the amount
12 made available under this heading, \$10,000,000 to remain
13 available until September 30, 2004, shall only be available
14 for the incorporation of additional technologies for dissemi-
15 nating terrorism warnings within the All Hazards Warn-
16 ing Network.

17 *RELATED AGENCIES*

18 *EQUAL EMPLOYMENT OPPORTUNITY COMMISSION*

19 *SALARIES AND EXPENSES*

20 *For an additional amount for “Equal Employment*
21 *Opportunity Commission, Salaries and Expenses”,*
22 *\$23,300,000, of which \$5,000,000 shall remain available*
23 *until September 30, 2004.*

1 *NATIONAL COMMISSION ON TERRORIST ATTACKS UPON*
2 *THE UNITED STATES*
3 *SALARIES AND EXPENSES*

4 *For an additional amount for “National Commission*
5 *on Terrorist Attacks Upon the United States, Salaries and*
6 *Expenses”, \$11,000,000, to remain available until Sep-*
7 *tember 30, 2004.*

8 *GENERAL PROVISIONS, THIS CHAPTER*

9 *SEC. 2001. (a) Of the funds made available in Title*
10 *I of Division B of Public Law 108–7, under the heading*
11 *“Juvenile Justice Programs”, for Family Ties Supervised*
12 *Visitation Services in Wakefield, Rhode Island, \$100,000*
13 *are rescinded.*

14 *(b) For an additional amount in Title I of Division*
15 *B of Public Law 108–7, under the heading “Juvenile Jus-*
16 *tice Programs”, \$529,000, which shall only be available for*
17 *law enforcement costs related to the Station nightclub fire*
18 *on February 20, 2003, to remain available until December*
19 *31, 2003.*

20 *SEC. 2002. Not later than 60 days after the date of*
21 *the enactment of this Act, the Secretary of State and the*
22 *Attorney General shall jointly report to the Committee on*
23 *Appropriations on the feasibility of providing access to*
24 *State and local law enforcement agencies to the database*
25 *of the Department of State on potential terrorists known*

1 as the “Tipoff” database including the process by which
2 classified information shall be secured from unauthorized
3 disclosure.

4 *SEC. 2003. For an additional amount for the law en-*
5 *forcement technology program under the heading “Commu-*
6 *nity Oriented Policing Services” in the Departments of*
7 *Commerce, Justice, and State, the Judiciary, and Related*
8 *Agencies Appropriations Act, 2003, \$5,000,000 for the Lou-*
9 *isville-Jefferson County, Kentucky Public Safety Commu-*
10 *nications System to implement a common interoperable*
11 *voice and data communications system for public safety or-*
12 *ganizations in the metropolitan area.*

13 *SEC. 2004. Section 501(b) of title V of division N of*
14 *the Consolidated Appropriations Resolution, 2003 is*
15 *amended—*

16 (1) by striking “program authorized for the fish-

17 ery in Sec. 211” and inserting “programs authorized

18 for the fisheries in sections 211 and 212”; and

19 (2) by striking “program in section 211” and

20 inserting “programs in sections 211 and 212”.

CHAPTER 3

SUBCOMMITTEE ON DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108–7), \$9,358,000 are rescinded (including \$9,261,000 from local funds and \$97,000 from other funds).

ECONOMIC DEVELOPMENT AND REGULATION

For an additional amount for “Economic Development and Regulation”, \$14,998,000 (including \$288,000 from local funds and \$14,710,000 from other funds).

PUBLIC SAFETY AND JUSTICE

For an additional amount for “Public Safety and Justice” (Public Law 108–7), \$10,422,000 from local funds.

PUBLIC EDUCATION SYSTEM

(INCLUDING RESCISSIONS)

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2003 (Public Law 108–7), \$11,667,000 are rescinded (including a rescission of \$13,778,000 from local funds and an additional amount of \$2,111,000 from other funds), to be allocated as follows:

(1) DISTRICT OF COLUMBIA PUBLIC SCHOOLS.—

An increase of \$2,029,000 (including a rescission of

1 *District of Columbia Appropriations Act, 2003 (Public Law*
2 *108–7).*

3 *In addition, this heading in the District of Columbia*
4 *Appropriations Act, 2003, approved February 20, 2003*
5 *(Public Law 108–7), is amended as follows:*

6 (1) *by striking the following proviso, “Provided*
7 *further, That \$3,209,000 of this appropriation, to re-*
8 *main available until expended, shall be deposited in*
9 *the Interim Disability Assistance Fund to be used ex-*
10 *clusively for the Interim Disability Assistance pro-*
11 *gram established by section 201 of the District of Co-*
12 *lumbia Public Assistance Act of 1982, effective April*
13 *6, 1982 (D.C. Law 4–101; D.C. Official Code, sec. 4–*
14 *202.01), and the purposes for that program set forth*
15 *in section 407 of the District of Columbia Public As-*
16 *sistance Act of 1982, effective April 3, 2001 (D.C.*
17 *Law 13–252; D.C. Official Code, sec. 4–204.07):”*, and

18 (2) *by amending the following proviso, “: Pro-*
19 *vided further, That \$37,500,000 in local funds, to re-*
20 *main available until expended, shall be deposited in*
21 *the Medicaid and Special Education Reform Fund.”*
22 *to read as follows “: Provided further, That*
23 *\$74,500,000 in local funds may be deposited in the*
24 *Medicaid and Special Education Reform Fund and*
25 *shall then remain available until expended.”*

1 *PUBLIC WORKS*

2 *(INCLUDING RESCISSIONS)*

3 *For an additional amount for “Public Works”,*
4 *\$3,107,000 (including a rescission of \$8,311,000 from local*
5 *funds appropriated under this heading in the District of*
6 *Columbia Appropriations Act, 2003 (Public Law 108–7),*
7 *and an additional amount of \$11,418,000 from other*
8 *funds): Provided, That \$512,000 from other funds shall re-*
9 *main available until expended for the taxicab revolving*
10 *loan fund.*

11 *REPAYMENT OF LOANS AND INTEREST*

12 *(INCLUDING RESCISSIONS)*

13 *Of the funds appropriated under this heading in the*
14 *District of Columbia Appropriations Act, 2003 (Public Law*
15 *108–7), \$2,466,000 are rescinded.*

16 *NON-DEPARTMENTAL*

17 *(INCLUDING RESCISSIONS)*

18 *Of the funds appropriated under this heading in the*
19 *District of Columbia Appropriations Act, 2003 (Public Law*
20 *108–7), \$5,799,000 are rescinded.*

21 *WORKFORCE INVESTMENTS*

22 *(INCLUDING RESCISSIONS)*

23 *Of the funds appropriated under this heading in the*
24 *District of Columbia Appropriations Act, 2003 (Public Law*
25 *108–7), \$2,000,000 are rescinded.*

1 *GENERAL PROVISIONS, THIS CHAPTER*

2 *SEC. 3001. USE OF THE FUND BALANCE. (a) The Dis-*
3 *trict of Columbia is hereby authorized to transfer an*
4 *amount not to exceed \$32,900,000, to remain available until*
5 *expended, from funds identified in the fiscal year 2002 com-*
6 *prehensive annual financial report as the District of Co-*
7 *lumbia's fund balance to the local general fund to cover the*
8 *impact of revenue shortfalls associated with the war econ-*
9 *omy: Provided, That nothing in this provision shall be*
10 *deemed as granting the District additional authority to ex-*
11 *pend funds from the emergency or contingency reserves es-*
12 *tablished under section 450A of the District of Columbia*
13 *Home Rule Act (Public Law 93-198; D.C. Official Code,*
14 *sec. 1-204.50a(b)).*

15 *SEC. 3002. EXTENSION OF CHIEF FINANCIAL OFFI-*
16 *CER'S AUTHORITY. The authority which the Chief Financial*
17 *Officer of the District of Columbia exercised with respect*
18 *to personnel, procurement, and the preparation of fiscal im-*
19 *pact statements during a control period (as defined in Pub-*
20 *lic Law 104-8) shall remain in effect through September*
21 *30, 2004.*

1 tion 504 of the Rescissions Act of 1995 (Public Law 104–
2 19)” in the proviso.

3 Not later than 60 days after the date of the enactment
4 of this Act, the Secretary of the Interior shall provide a
5 report to the Committees on Energy and Natural Resources
6 and Appropriations of the Senate and the Committees on
7 Resources and Appropriations of the House of Representa-
8 tives detailing the Secretary’s intent regarding the direct
9 sale of 983 acres in Clark County, Nevada, known as Lake
10 Las Vegas Phase II.

11 CHAPTER 5

12 SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN
13 SERVICES, AND EDUCATION, AND RELATED AGENCIES
14 DEPARTMENT OF LABOR

15 EMPLOYMENT AND TRAINING ADMINISTRATION

16 TRAINING AND EMPLOYMENT SERVICES

17 For an additional amount for the Employment and
18 Training Administration, “Training and Employment
19 Services” to carry out activities authorized under section
20 171(b) of the Workforce Investment Act, \$1,000,000: Pro-
21 vided, That such sum shall be for the Jobs for America’s
22 Graduates (JAG) school-to-work program for at-risk young
23 people.

1 *DEPARTMENT OF HEALTH AND HUMAN*
2 *SERVICES*
3 *HEALTH RESOURCES AND SERVICES ADMINISTRATION*
4 *HEALTH RESOURCES AND SERVICES*

5 *The matter under the heading “Department of Health*
6 *and Human Services, Health Resources and Services Ad-*
7 *ministration, Health Resources and Services”, in Public*
8 *Law 108–7 is amended—*

9 (1) *by striking “Heart Beat, New Bloomfield,*
10 *PA,” and inserting “Heart Beat, Millerstown, PA,”*
11 *in lieu thereof;*

12 (2) *by striking “Tressler Lutheran Services,*
13 *Harrisburg, PA, for abstinence education and related*
14 *services” and inserting “DIAKON Lutheran Social*
15 *Ministries, Allentown, PA, for abstinence education*
16 *and related services in Cumberland and Dauphin*
17 *counties” in lieu thereof;*

18 (3) *by striking “Community Ministries of the*
19 *Lutheran Home at Topton, Reading, PA, for absti-*
20 *nence education and related services” and inserting*
21 *“DIAKON Lutheran Social Ministries of Allentown,*
22 *PA, for abstinence education and related services in*
23 *Berks county” in lieu thereof;*

24 (4) *by striking “\$298,153,000” and inserting*
25 *“\$296,638,000” in the first proviso; and*

1 *the Centers for Disease Control and Prevention to carry out*
2 *international health activities, including HIV/AIDS and*
3 *other infectious disease, chronic and environmental disease,*
4 *and other health activities abroad during fiscal year 2003,*
5 *the Secretary of Health and Human Services may exercise*
6 *authority equivalent to that available to the Secretary of*
7 *State in section 2(c) of the State Department Basic Au-*
8 *thorities Act of 1956 (22 U.S.C. 2669(c)).*

9 *(b) The Secretary of Health and Human Services shall*
10 *consult with the Secretary of State and relevant Chief of*
11 *Mission to ensure that the authority provided in this section*
12 *is exercised in a manner consistent with section 207 of the*
13 *Foreign Service Act of 1980 (22 U.S.C. 3927) and other*
14 *applicable statutes administered by the Department of*
15 *State.*

16 *DEPARTMENT OF EDUCATION*

17 *SCHOOL IMPROVEMENT PROGRAMS*

18 *The matter under the heading “Department of Edu-*
19 *cation, School Improvement Programs”, in Public Law*
20 *108–7 is amended—*

21 *(1) by striking “\$8,052,957,000” and inserting*
22 *“\$8,053,507,000”;*

23 *(2) by striking “\$508,100,000” and inserting*
24 *“\$537,100,000”;*

1 (3) *by striking “\$4,132,167,000” and inserting*
2 *“\$4,233,167,000”;*

3 (4) *by striking “\$814,660,000” and inserting*
4 *“\$815,210,000”; and,*

5 (5) *by striking “\$212,160,000” and inserting*
6 *“\$212,710,000”.*

7 *In the statement of the managers of the committee of*
8 *conference accompanying H.J. Res. 2 (Public Law 108–7;*
9 *House Report 108–10), in the matter in title III of Division*
10 *G, relating to the Fund for the Improvement of Education*
11 *under the heading “School Improvement Programs”—*

12 (1) *the provision specifying \$150,000 for Illinois*
13 *State Board of Education, Springfield, Illinois, for*
14 *computers, hardware and software for the implemen-*
15 *tation of Fast ForWord reading program to the Pleas-*
16 *ant Plains Community Unit District #8 and Pleas-*
17 *ant Plain Illinois District #18 shall be deemed to*
18 *read as follows: “Illinois State Board of Education,*
19 *Springfield, Illinois, for implementation of Fast*
20 *ForWord reading program to the Pleasant Plains*
21 *Community Unit District #8 and for improving*
22 *mathematics achievement in Peoria School District*
23 *#150 and Jacksonville School District #117,*
24 *\$150,000”;*

1 (2) *the provision specifying \$2,000,000 for*
2 *Pinellas County Florida School District, St. Peters-*
3 *burg, Florida, for technology for Title I schools shall*
4 *be deemed to read as follows: “St. Petersburg College,*
5 *St. Petersburg, Florida, for the Pinellas County Epi-*
6 *Center, \$2,000,000”;*

7 (3) *the provision specifying \$500,000 for the St.*
8 *Louis Children’s Museum, MO, for a collaborative*
9 *project with the St. Louis Public Library to create*
10 *interactive exhibits and educational programs shall be*
11 *deleted;*

12 (4) *the provision specifying \$200,000 for the*
13 *Harford County Board of Education in Aberdeen,*
14 *MD, for a collaboration between a science and tech-*
15 *nology high school and the Aberdeen Proving Ground*
16 *shall be deemed to read as follows: “Harford County*
17 *Board of Education in Aberdeen, MD, for a collabora-*
18 *tion between a science and technology high school and*
19 *the Aberdeen Proving Ground, \$700,000”;*

20 (5) *the provision specifying \$25,000 for the Boys*
21 *and Girls Club of El Dorado, Arkansas, for drug pre-*
22 *vention and after school programs shall be deemed to*
23 *read as follows: “Boys and Girls Club, Southeast*
24 *Unit, El Dorado, Arkansas, for drug prevention and*
25 *after school programs, \$25,000”;*

1 (6) *the provision specifying \$100,000 for the*
2 *American Academy of Liberal Education, Wash-*
3 *ington, D.C., to develop projects and survey best prac-*
4 *tices in the study of American democracy and prin-*
5 *ciples of free government at colleges and universities*
6 *shall be deleted;*

7 (7) *the provision specifying \$400,000 for the Mil-*
8 *waukee Public Schools, Wisconsin, to expand before-*
9 *and after-school programs shall be deemed to read:*
10 *“Milwaukee Public Schools, WI, for before- and after-*
11 *school programs, \$400,000”;*

12 (8) *the provision specifying \$200,000 for Tensas*
13 *Reunion, Inc., Newellton, LA, for instructional tech-*
14 *nology training, and after school programs at the*
15 *Tensas Charter School shall be deemed to read:*
16 *“Tensas Reunion, Inc., Newellton, LA, for the*
17 *TREES Project in Tensas Parish, including activities*
18 *such as the purchase of computers and educational*
19 *software, tutoring, and workshops to promote paren-*
20 *tal involvement, \$200,000”;*

21 (9) *the provision specifying \$250,000 for Com-*
22 *munity School District 8, Flushing, NY, for after-*
23 *school programs shall be deemed to read: “Community*
24 *School District 8, Bronx, NY, for after-school pro-*
25 *grams, \$250,000”;*

1 (10) *the provision specifying \$20,000 for*
2 *Westside High School, Bakersfield, California, for*
3 *equipment shall be deemed to read: “West High*
4 *School, Bakersfield, California, for equipment,*
5 *\$20,000”;*

6 (11) *the provision specifying \$1,000,000 for the*
7 *National Science Center Foundation, Atlanta, Geor-*
8 *gia, for educational technology and other purposes*
9 *shall be deemed to read: “National Science Center*
10 *Foundation, Augusta, Georgia, for educational tech-*
11 *nology and other purposes, \$1,000,000”;*

12 (12) *the provision specifying \$200,000 for the*
13 *Golden Gate National Parks Association, San Fran-*
14 *cisco, CA, for environmental education programs at*
15 *the Crissy Field Center shall be deemed to read:*
16 *“Golden Gate National Parks Conservancy, San*
17 *Francisco, CA, for environmental education programs*
18 *at the Crissy Field Center, \$200,000” and a provision*
19 *shall be added that reads: “Beresford Community*
20 *Education in Beresford, SD to expand community*
21 *education programs, \$150,000”;*

22 (13) *the provision specifying \$100,000 for the*
23 *University of South Florida, Tampa, FL, for the*
24 *Tampa Bay Consortium for the Development of Edu-*
25 *cational Leaders and the Preparation and Recruit-*

1 *ment of Teachers shall be deemed to read: “University*
2 *of South Florida, Tampa, FL, for the Tampa Bay*
3 *Consortium for the Development of Educational Lead-*
4 *ers, \$100,000”;*

5 *(14) the provision specifying \$25,000 for the*
6 *Meredith-Dunn Learning Disabilities Center, Inc.,*
7 *Louisville, Kentucky for technology shall be deemed to*
8 *read as follows: “Meredith-Dunn Learning Disabil-*
9 *ities Center, Inc., Louisville, Kentucky for school*
10 *counseling services, \$25,000”;*

11 *(15) the provision specifying \$40,000 for the Fa-*
12 *ther Maloney’s Boys Haven, Louisville, Kentucky for*
13 *technology shall be deemed to read as follows: “Father*
14 *Maloney’s Boys Haven, Louisville, Kentucky for an*
15 *educational program, \$40,000”;*

16 *(16) the provision specifying \$50,000 for the Joel*
17 *II Restoration Ministries for education programs*
18 *shall be deemed to read as follows: “Joel II Restora-*
19 *tion Outreach, Inc. for education programs, \$50,000”;*
20 *and*

21 *(17) the provision specifying \$1,500,000 for the*
22 *City of Upland, California, for after school programs*
23 *shall be deemed to read as follows: “YMCA of the City*
24 *of Upland, California, for after-school activities,*
25 *\$1,500,000”.*

HIGHER EDUCATION

1
2 *The matter under the heading “Higher Education”, in*
3 *Public Law 108–7 is amended—*

4 (1) *by striking “\$2,100,701,000” and inserting*
5 *“\$2,100,151,000”; and,*

6 (2) *by striking “\$140,599,000” and inserting*
7 *“\$140,049,000”.*

8 *In the statement of the managers of the committee of con-*
9 *ference accompanying H.J. Res. 2 (Public Law 108–7;*
10 *House Report 108–10), in the matter in title III of Division*
11 *G, relating to the Fund for the Improvement of Postsec-*
12 *ondary Education under the heading “Higher Edu-*
13 *cation”—*

14 (1) *the second reference to the provision speci-*
15 *fying \$1,000,000 for the University of Massachusetts-*
16 *Boston to purchase research equipment and tech-*
17 *nology infrastructure shall be deleted;*

18 (2) *the provision specifying \$500,000 for Har-*
19 *ford County Public Schools, Bel Air, MD, for support*
20 *of a math and science magnet school program at Ab-*
21 *erdeen High School shall be deleted and a provision*
22 *shall be added that reads: “American Academy of*
23 *Liberal Education, Washington, D.C., to develop*
24 *projects and survey best practices in the study of*

1 *American democracy and principles of free govern-*
2 *ment at colleges and universities, \$100,000”;*

3 *(3) the provision specifying \$100,000 for Slip-*
4 *pery Rock University, Slippery Rock, PA, for Knowl-*
5 *edge Pointe at Cranberry Woods, as part of an initia-*
6 *tive to provide life-long educational services to Pitts-*
7 *burgh’s regional industry and community residents*
8 *shall be deemed to read as follows: “Regional Learn-*
9 *ing Alliance, Marshall Township in Allegheny Coun-*
10 *ty, PA, as part of an initiative to provide life-long*
11 *educational services to Pittsburgh’s regional industry*
12 *and community residents, \$200,000”;*

13 *(4) the provision specifying \$150,000 for*
14 *Beresford Community Education in Beresford, SD to*
15 *expand community education programs shall be de-*
16 *leted;*

17 *(5) the provision specifying \$100,000 for Slip-*
18 *pery Rock University, Slippery Rock, Pennsylvania,*
19 *for the North Hill Educational Alliance shall be de-*
20 *leted; and*

21 *(6) the provision specifying \$250,000 to the Na-*
22 *tional Aviary Conservation Education Technology In-*
23 *tegration in Pittsburgh shall be deemed to read as fol-*
24 *lows: “National Aviary Conservation Education Tech-*
25 *nology Integration in Pittsburgh, for the Remote*

1 *Audio-Visual Engagement Network (RAVEN) project,*
2 *\$250,000”.*

3 *DEPARTMENT OF EDUCATION*

4 *GENERAL PROVISION*

5 *Section 1707(3) of the Elementary and Secondary*
6 *Education Act of 1965 (20 U.S.C. 6537(3)) is amended by*
7 *striking “17” and inserting “19”.*

8 *RELATED AGENCIES*

9 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

10 *DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING*

11 *EXPENSES*

12 *The matter under the heading “Corporation for Na-*
13 *tional and Community Service, Domestic Volunteer Service*
14 *Programs, Operating Expenses”, in Public Law 108–7 is*
15 *amended by inserting “for activities authorized by section*
16 *122 of Part C of Title I and Part E of Title II of the Domes-*
17 *tic Volunteer Service Act of 1973” after “in this Act”.*

18 *CHAPTER 6*

19 *SUBCOMMITTEE ON LEGISLATIVE BRANCH*

20 *CAPITOL POLICE*

21 *TRANSFER OF LIBRARY OF CONGRESS POLICE. Section*
22 *1015(a)(3) of the Legislative Branch Appropriations Act,*
23 *2003, is amended by inserting “, or, if earlier, on February*
24 *20, 2005” before the period.*

1 (3) *airline layoffs from American Airlines should*
2 *be conducted in a manner that maintains the max-*
3 *imum level of fairness and equitable treatment for all*
4 *parties involved; and*

5 (4) *American Airlines should encourage its em-*
6 *ployee groups to integrate all employees in a manner*
7 *that is fair and equitable for all parties involved.*

8 *SEC. 702. No provision of this Act may be construed*
9 *as altering or amending the force or effect of any of the*
10 *following provisions of law as currently applied:*

11 (1) *Sections 2631 and 2631a of title 10, United*
12 *States Code.*

13 (2) *Sections 901(b) and 901b of the Merchant*
14 *Marine Act, 1936 (46 U.S.C. App. 1241(b), 1241f).*

15 (3) *Public Resolution Numbered 17, Seventy-*
16 *third Congress (48 Stat. 500).*

17 (4) *Any other similar provision of law requiring*
18 *the use of privately owned United States flag commer-*
19 *cial vessels for certain transportation purposes of the*
20 *United States.*

1 *and expenditure of funds made available in this, or any*
2 *other Act” and strike out in the eleventh proviso “and all*
3 *other statutes and regulations governing the obligation and*
4 *expenditure of funds made available in this or any other*
5 *Act”.*

6 *INDEPENDENT AGENCIES*

7 *CORPORATION FOR NATIONAL AND COMMUNITY SERVICE*

8 *NATIONAL AND COMMUNITY SERVICE PROGRAMS*

9 *OPERATING EXPENSES*

10 *To liquidate obligations previously incurred by the*
11 *Corporation for National and Community Service (“Cor-*
12 *poration”), up to \$64,000,000 is provided to the National*
13 *Service Trust: Provided, That the Corporation may use*
14 *these funds only to liquidate the deficiency that it has al-*
15 *ready incurred and that these funds are not available for*
16 *obligation, or to liquidate obligations, for any other purpose*
17 *whatsoever: Provided further, That the Corporation may*
18 *not use these funds unless and until it reports these over-*
19 *obligations to the Congress and the President in accordance*
20 *with the requirements of the Antideficiency Act and the*
21 *guidance of the Office of Management and Budget in OMB*
22 *Circular A–11 (2002): Provided further, That the second*
23 *proviso under the heading “Corporation for National and*
24 *Community Service” in Public Law 108–7 is deemed to be*
25 *amended by inserting after “section 501(a)(4)” the fol-*

1 *lowing: “with not less than \$2,500,000 for the Office of the*
 2 *Chief Financial Officer to enact financial reform in the*
 3 *Corporation, without regard to the provisions of section*
 4 *501(a)(4)(B) of the Act”.*

5 *NATIONAL SCIENCE FOUNDATION*

6 *RESEARCH AND RELATED ACTIVITIES*

7 *The first sentence under this heading in Public Law*
 8 *108–7 is amended by striking “\$320,000,000” and inserting*
 9 *in lieu thereof: “\$330,000,000”.*

10 *ENVIRONMENTAL PROTECTION AGENCY*

11 *ADMINISTRATIVE PROVISION*

12 *Within 30 days of enactment of this Act, the Adminis-*
 13 *trator of the Environmental Protection Agency shall adjust*
 14 *each “maximum annual fee payable” pursuant to 7 U.S.C.*
 15 *136a–1(i)(5) (D) and (E) in a manner such that Mainte-*
 16 *nance Fee collections made to reach the level authorized in*
 17 *division K of Public Law 108–7 shall be established in the*
 18 *same proportion as those Maintenance Fee collections au-*
 19 *thorized in Public Law 107–73.*

20 *GENERAL PROVISIONS, THIS TITLE*

21 *SEC. 201. The Secretary of the Army, acting through*
 22 *the Chief of Engineers, shall use \$3,300,000 of funds avail-*
 23 *able under the Construction, General appropriation, Corps*
 24 *of Engineers, Civil, to continue dam safety and seepage sta-*

1 bility correction measures for the Waterbury Dam, Vermont
2 project.

3 **TITLE III—COLUMBIA ORBITER MEMORIAL ACT**

4 **SEC. 301. SHORT TITLE.**

5 *This title may be cited as the “Columbia Orbiter Me-*
6 *memorial Act”.*

7 **SEC. 302. CONSTRUCTION OF MEMORIAL TO CREW OF CO-**
8 **LUMBIA ORBITER AT ARLINGTON NATIONAL**
9 **CEMETERY.**

10 (a) **CONSTRUCTION REQUIRED.**—*The Secretary of the*
11 *Army shall, in consultation with the Administrator of the*
12 *National Aeronautics and Space Administration, construct*
13 *at an appropriate place in Arlington National Cemetery,*
14 *Virginia, a memorial marker honoring the seven members*
15 *of the crew of the Columbia Orbiter who died on February*
16 *1, 2003, over the State of Texas during the landing of space*
17 *shuttle mission STS–107.*

18 (b) **AVAILABILITY OF FUNDS.**—*Of the amount appro-*
19 *priated or otherwise made available by title II of the De-*
20 *partment of Defense Appropriations Act, 2003 (Public Law*
21 *107–248) under the heading “OPERATION AND MAINTE-*
22 *NANCE, ARMY”, \$500,000 shall be available for the construc-*
23 *tion of the memorial marker required by subsection (a).*

1 **SEC. 303. DONATIONS FOR MEMORIAL FOR CREW OF CO-**
2 **LUMBIA ORBITER.**

3 (a) *AUTHORITY TO ACCEPT DONATIONS.*—*The Admin-*
4 *istrator of the National Aeronautics and Space Administra-*
5 *tion may accept gifts and donations of services, money, and*
6 *property (including personal, tangible, or intangible prop-*
7 *erty) for the purpose of an appropriate memorial or monu-*
8 *ment to the seven members of the crew of the Columbia Or-*
9 *biter who died on February 1, 2003, over the State of Texas*
10 *during the landing of space shuttle mission STS–107,*
11 *whether such memorial or monument is constructed by the*
12 *Administrator or is the memorial marker required by sec-*
13 *tion 302.*

14 (b) *TRANSFER.*—(1) *The Administrator may transfer*
15 *to the Secretary of the Army any services, money, or prop-*
16 *erty accepted by the Administrator under subsection (a) for*
17 *the purpose of the construction of the memorial marker re-*
18 *quired by section 302.*

19 (2) *Any moneys transferred to the Secretary under*
20 *paragraph (1) shall be merged with amounts in the account*
21 *referred to in subsection (b) of section 302, and shall be*
22 *available for the purpose referred to in that subsection.*

23 (c) *EXPIRATION OF AUTHORITY.*—*The authority of the*
24 *Administrator to accept gifts and donations under sub-*
25 *section (a) shall expire five years after the date of the enact-*
26 *ment of this Act.*

1 **TITLE IV—AVIATION INDUSTRY**
2 **RELIEF PROVISIONS**

3 **SEC. 401. TEMPORARY SUSPENSION OF SECURITY SERVICE**
4 **FEES.**

5 *The Undersecretary of Homeland Security for Border*
6 *and Transportation Security shall not impose the fees au-*
7 *thorized by section 44940(a) of title 49, United States Code,*
8 *during the period beginning on April 1, 2003, and ending*
9 *on September 30, 2003.*

10 **SEC. 402. REIMBURSEMENT OF AIRLINES FOR CERTAIN IN-**
11 **CREASED SECURITY COSTS.**

12 *There are appropriated to the Secretary of Transpor-*
13 *tation for fiscal year 2003 \$1,000,000,000, such sums to re-*
14 *main available until expended, \$600,000,000 of which shall*
15 *be used to reimburse each air carrier engaged in air trans-*
16 *portation and intrastate air transportation of passengers*
17 *for compensation (as such terms are used in subtitle VII*
18 *of title 49, United States Code) for the amount by which*
19 *the costs incurred by such air carrier during calendar year*
20 *2002 in complying with aviation security requirements im-*
21 *posed by Federal law, including requirements imposed by*
22 *the Transportation Security Administration, exceeded the*
23 *aviation security costs the carrier would have incurred dur-*
24 *ing that year in the absence of those requirements, and*
25 *\$400,000,000 of which shall be used to reimburse each such*

1 *air carrier for the amount by which the costs incurred by*
2 *the air carrier during calendar year 2003 exceeded the avia-*
3 *tion security costs the carrier would have incurred during*
4 *that year in the absence of those requirements, such costs*
5 *to be determined by studies conducted by the air carriers*
6 *in accordance with guidelines to be developed, within 30*
7 *days after the date of enactment of this Act, by the Under-*
8 *secretary of Homeland Security for Border and Transpor-*
9 *tation Security in consultation with the Secretary of Trans-*
10 *portation, describing in detail, by function, amount, and*
11 *class (including operating expenses, capital expenditures,*
12 *and one time and recurring costs), the costs for which reim-*
13 *bursement is sought: Provided, That the Inspector General*
14 *of the Department of Transportation certifies the guidelines*
15 *as being appropriate to determine such costs: Provided fur-*
16 *ther, That the Inspector General certifies as complete and*
17 *accurate all claims submitted by an air carrier for reim-*
18 *bursement under this section, and: Provided further, That*
19 *if the sum of the costs to be reimbursed to all such air car-*
20 *riers for 2002 exceeds \$600,000,000, the amount of the reim-*
21 *bursement to each such carrier shall be an amount that*
22 *bears the same ratio to \$600,000,000 as the reimbursable*
23 *cost of that carrier bears to the sum of the reimbursable*
24 *costs of all such carriers for that year, and if the sum of*
25 *the costs to be reimbursed to all such air carriers for 2003*

1 *exceeds \$400,000,000, the amount of the reimbursement to*
2 *each such carrier shall be an amount that bears the same*
3 *ratio to \$400,000,000 as the reimbursable cost of that car-*
4 *rier bears to the sum of the reimbursable costs of all such*
5 *carriers for that year.*

6 **SEC. 403. ADDITIONAL AMOUNT FOR COCKPIT DOOR REIM-**
7 **BURSEMENT.**

8 *In addition to amounts appropriated under the pre-*
9 *ceding section, there are appropriated to the Secretary of*
10 *Transportation \$100,000,000, to remain available until ex-*
11 *pended, to compensate air carriers for the direct costs asso-*
12 *ciated with the strengthening of flight deck doors and locks*
13 *on aircraft required by section 104(a)(1)(B) of the Aviation*
14 *and Transportation Security Act.*

15 **SEC. 404. AIRPORT SECURITY EXPENSES AND INVESTMENT.**

16 *There are appropriated to the Secretary of Transpor-*
17 *tation \$375,000,000, to remain available until expended, to*
18 *be made available, after consultation with the Secretary of*
19 *Homeland Security, to airports for operating expenses and*
20 *capital investment related to improvements in aviation se-*
21 *curity: Provided, That the amounts made available for cap-*
22 *ital expenses shall be made available to airport sponsors,*
23 *as such term is used in chapter 471 of title 49, United*
24 *States Code, on such terms and conditions, and pursuant*
25 *to such applications, similar to the terms, conditions, and*

1 *applications applicable to amounts made available under*
2 *that chapter.*

3 **SEC. 405. EXTENSION OF WAR RISK INSURANCE AUTHOR-**
4 **ITY.**

5 (a) *EXTENSION OF POLICIES.*—Section 44302(f)(1) of
6 title 49, United States Code, is amended by striking
7 “2003,” each place it appears and inserting “2004.”

8 (b) *EXTENSION OF LIABILITY LIMITATION.*—Section
9 44303(b) of such title is amended by striking “2003,” and
10 inserting “2004.”

11 (c) *EXTENSION OF AUTHORITY.*—Section 44310 of
12 such title is amended by striking “2003.” and inserting
13 “2004.”

14 **SEC. 406. LIMIT ON EXECUTIVE COMPENSATION REQUIRED**
15 **FOR EXTENDED WAR RISK INSURANCE COV-**
16 **ERAGE.**

17 (a) *IN GENERAL.*—Notwithstanding any provision of
18 law to the contrary, the Secretary of Transportation may
19 not provide insurance or reinsurance under chapter 443 of
20 title 49, United States Code, after August 31, 2003, and
21 before January 1, 2005, to an air carrier operating aircraft
22 for the transportation of passengers for compensation unless
23 that air carrier executes a contract with the Secretary
24 under which the air carrier agrees that—

1 (1) *it will not provide total compensation during*
2 *the 12-month period beginning on April 1, 2003, or*
3 *the subsequent 12-month period, to an executive offi-*
4 *cer in an amount equal to more than the annual sal-*
5 *ary paid to that officer during the air carrier's fiscal*
6 *year 2002; and*

7 (2) *if the air carrier violates its agreement under*
8 *paragraph (1), it will pay to the Secretary of the*
9 *Treasury, within 60 days after the date on which the*
10 *violation occurs, an amount, determined by the Sec-*
11 *retary of Transportation, equal to the difference be-*
12 *tween—*

13 (A) *the amount it paid for insurance pro-*
14 *vided or reinsured under chapter 443 of such*
15 *title for the 12-month period in which the viola-*
16 *tion occurred; and*

17 (B) *the amount it would have paid for the*
18 *same or similar insurance coverage for that pe-*
19 *riod if the insurance had not been provided or*
20 *reinsured under that chapter.*

21 (b) *EXECUTIVE OFFICERS EMPLOYED FOR LESS THAN*
22 *12 MONTHS IN FISCAL YEAR 2002 OR WHOSE EMPLOY-*
23 *MENT COMMENCED AFTER FISCAL YEAR 2002.—For the*
24 *purpose of applying subsection (a)(1) to an executive offi-*
25 *cer—*

1 (1) *who was employed by an air carrier for less*
2 *than 12 months during the air carrier's fiscal year*
3 *2002, or whose employment began after the last day*
4 *of the last fiscal year of such air carrier ending before*
5 *the date of enactment of this Act—*

6 (A) *the salary paid to that executive officer*
7 *in that air carrier's fiscal year 2002, or in the*
8 *next fiscal year of that air carrier (if such next*
9 *fiscal year began before the date of enactment of*
10 *this Act), respectively, shall be determined as an*
11 *annual rate of pay;*

12 (B) *that annual rate of pay shall be treated*
13 *as if it were the annual salary paid to that execu-*
14 *utive officer during that air carrier's fiscal year*
15 *2002; and*

16 (C) *that executive officer shall be deemed to*
17 *have been employed during that fiscal year; and*

18 (2) *whose employment begins after the date of*
19 *enactment of this Act—*

20 (A) *the annual salary at which that execu-*
21 *tive officer is first employed by an air carrier*
22 *may not exceed the maximum salary paid to*
23 *any executive officer by that air carrier during*
24 *that air carrier's fiscal year 2002 with the same*
25 *or similar responsibilities;*

1 (B) that salary shall be treated as if it were
2 the annual salary paid to the executive officer
3 during that air carrier’s fiscal year 2002; and

4 (C) the executive officer shall be deemed to
5 have been employed by that air carrier during
6 that air carrier’s fiscal year 2002.

7 (c) *AUDIT AUTHORITY.*—The Comptroller General, or
8 any of the Comptroller General’s duly authorized represent-
9 atives, shall have access for the purpose of audit and exam-
10 ination to any books, accounts, documents, papers, and
11 records of such air carriers that relate to the information
12 required to implement subsection (a). The Comptroller Gen-
13 eral shall transmit a report of any investigation conducted
14 under this subsection to the Senate Committee on Appro-
15 priations, the Senate Committee on Commerce, Science, and
16 Transportation, the House of Representatives Committee on
17 Appropriations, and the House of Representatives Com-
18 mittee on Transportation and Infrastructure, together with
19 a certification as to whether the Comptroller General has
20 had access to sufficient information to make informed judg-
21 ments on the matters covered by the report.

22 (d) *DEFINITIONS.*—In this section:

23 (1) *EXECUTIVE OFFICER.*—The term “executive
24 officer” means a named executive officer (as that term
25 is used in section 402(a)(3) of Regulation S-K pro-

1 *mulgated by the Securities and Exchange Commission*
2 *under the Securities Exchange Act of 1934 (17 C.F.R.*
3 *229.402(a)(3)).*

4 (2) *TOTAL COMPENSATION.—The term “total*
5 *compensation” has the meaning given that term by*
6 *section 104(b) of the Air Transportation Safety and*
7 *System Stabilization Act (49 U.S.C. 40101 note), but*
8 *does not include amounts paid, under a contract, re-*
9 *irement plan, or other legally binding arrangement*
10 *in effect on March 26, 2003, to an executive officer on*
11 *account of that executive’s retirement or termination*
12 *of employment.*

13 **SEC. 407. GAO REPORT ON AIRLINES ACTIONS TO IMPROVE**
14 **FINANCES AND ON EXECUTIVE COMPENSA-**
15 **TION.**

16 (a) *FINDING.—The Congress finds that the United*
17 *States government has by law provided substantial finan-*
18 *cial assistance to United States commercial airlines in the*
19 *form of war risk insurance and reinsurance and other eco-*
20 *nomie benefits and has imposed substantial economic and*
21 *regulatory burdens on those airlines. In order to determine*
22 *the economic viability of the domestic commercial airline*
23 *industry and to evaluate the need for additional measures*
24 *or the modification of existing laws, the Congress needs*

1 *more frequent information and independently verified in-*
2 *formation about the financial condition of these airlines.*

3 (b) *SEMIANNUAL REPORTS.*—*The Comptroller General*
4 *shall prepare a semiannual report to the Congress—*

5 (1) *analyzing measures being taken by air car-*
6 *riers engaged in air transportation and intrastate air*
7 *transportation (as such terms are used in subtitle VII*
8 *of title 49, United States Code) to reduce costs and*
9 *to improve their earnings and profits and balance*
10 *sheets; and*

11 (2) *stating—*

12 (A) *the total compensation (as defined in*
13 *section 104(b) of the Air Transportation Safety*
14 *and System Stabilization Act (49 U.S.C. 40101*
15 *note)) paid by the air carrier to each officer or*
16 *employee of that air carrier to whom that section*
17 *applies for the period to which the report relates;*
18 *and*

19 (B) *the terms and value (determined on the*
20 *basis of the closing price of the stock on the last*
21 *business day of the period to which the report re-*
22 *lates) of any stock options awarded to such offi-*
23 *cer during that period.*

24 (c) *GAO AUTHORITY.*—*In order to compile the reports*
25 *required by subsection (b), the Comptroller General, or any*

1 *of the Comptroller General's duly authorized representa-*
2 *tives, shall have access for the purpose of audit and exam-*
3 *ination to any books, accounts, documents, papers, and*
4 *records of such air carriers that relate to the information*
5 *required to compile the reports. The Comptroller General*
6 *shall submit with each such report a certification as to*
7 *whether the Comptroller General has had access to sufficient*
8 *information to make informed judgments on the matters*
9 *covered by the report.*

10 (d) *REPORTS TO CONGRESS.*—*The Comptroller Gen-*
11 *eral shall transmit the compilation of reports required by*
12 *subsection (c) to Senate Committee on Appropriations, the*
13 *Senate Committee on Commerce, Science, and Transporta-*
14 *tion, the House of Representatives Committee on Appro-*
15 *priations, and the House of Representatives Committee on*
16 *Transportation and Infrastructure.*

17 **SEC. 408. AIR CARRIERS TO SUBMIT OPERATIONAL EX-**
18 **PENSE REDUCTION PLANS.**

19 (a) *IN GENERAL.*—*Each air carrier that receives fi-*
20 *nancial assistance under this Act shall transmit a plan to*
21 *the Comptroller General within 90 days after the date of*
22 *enactment of this Act that, if implemented, will reduce that*
23 *air carrier's annual operating expenses by an amount equal*
24 *to the greater of—*

1 (1) 10 percent of that carrier's annual operating
2 expenses determined as of June 15, 2002; or

3 (2) the amount of financial assistance that air
4 carrier has received or will receive under this Act.

5 (b) *OPERATING EXPENSES.*—In determining annual
6 operating expenses for purposes of this section, an air car-
7 rier shall compute operating expenses attributable to fuel
8 on the basis of the average price of such fuel for June 15,
9 2002.

10 **SEC. 409. ADDITIONAL TEMPORARY EXTENDED UNEMPLOY-**
11 **MENT COMPENSATION FOR DISPLACED AIR-**
12 **LINE RELATED WORKERS.**

13 (a) *DEFINITIONS.*—For purposes of this section—

14 (1) the term “eligible individual” means an in-
15 dividual whose eligibility for temporary extended un-
16 employment compensation under the Temporary Ex-
17 tended Unemployment Compensation Act of 2002
18 (Public Law 107–147; 116 Stat. 21), as amended by
19 Public Law 108–1 (117 Stat. 3), is or would be based
20 on the exhaustion of regular compensation, entitle-
21 ment to which was based in whole or in part on
22 qualifying employment performed during such indi-
23 vidual's base period;

24 (2) the term “qualifying employment”, with re-
25 spect to an eligible individual, means employment—

1 (A) *with an air carrier, employment at a*
2 *facility at an airport, that involves the provision*
3 *of transportation to or from an airport, or with*
4 *an upstream producer or supplier for an air car-*
5 *rier; and*

6 (B) *as determined by the Secretary, separa-*
7 *tion from which was due, in whole or in part,*
8 *to—*

9 (i) *reductions in service by an air car-*
10 *rier as a result of a terrorist action or secu-*
11 *rity measure;*

12 (ii) *a closure of an airport in the*
13 *United States as a result of a terrorist ac-*
14 *tion or security measure; or*

15 (iii) *a military conflict with Iraq that*
16 *has been authorized by Congress;*

17 (3) *the term “air carrier” means an air carrier*
18 *that holds a certificate issued under chapter 411 of*
19 *title 49, United States Code;*

20 (4) *the term “upstream producer” means a firm*
21 *that performs additional, value-added, production*
22 *processes, including firms that perform final assem-*
23 *bly, finishing, or packaging of articles, for another*
24 *firm;*

1 (5) *the term “supplier” means a firm that pro-*
2 *duces component parts for, or articles and contract*
3 *services considered to be a part of the production*
4 *process or services for, another firm;*

5 (6) *the term “Secretary” means the Secretary of*
6 *Labor; and*

7 (7) *the term “terrorist action or security meas-*
8 *ure” means a terrorist attack on the United States on*
9 *September 11, 2001, or a security measure taken in*
10 *response to such attack.*

11 (b) *ADDITIONAL TEMPORARY EXTENDED UNEMPLOY-*
12 *MENT COMPENSATION FOR ELIGIBLE EMPLOYEES.—In the*
13 *case of an eligible employee, the Temporary Extended Un-*
14 *employment Compensation Act of 2002 (Public Law 107–*
15 *147; 116 Stat. 21), as amended by Public Law 108–1 (117*
16 *Stat. 3), shall be applied as if it had been amended in ac-*
17 *cordance with subsection (c).*

18 (c) *MODIFICATIONS.—*

19 (1) *IN GENERAL.—For purposes of subsection*
20 *(b), the Temporary Extended Unemployment Com-*
21 *ensation Act of 2002 (Public Law 107–147; 116*
22 *Stat. 21), as amended by Public Law 108–1 (117*
23 *Stat. 3), shall be treated as if it had been amended*
24 *as provided in this subsection.*

1 (2) *PROGRAM EXTENSION.*—*Deem section 208 of*
2 *the Temporary Extended Unemployment Compensa-*
3 *tion Act of 2002, as amended by Public Law 108-1*
4 *(117 Stat. 3), to be amended to read as follows:*

5 **“SEC. 208. APPLICABILITY.**

6 “(a) *IN GENERAL.*—*Subject to subsection (b), an*
7 *agreement entered into under this title shall apply to weeks*
8 *of unemployment—*

9 “(1) *beginning after the date on which such*
10 *agreement is entered into; and*

11 “(2) *ending before December 29, 2003.*

12 “(b) *TRANSITION FOR AMOUNT REMAINING IN AC-*
13 *COUNT.*—

14 “(1) *IN GENERAL.*—*Subject to paragraph (2), in*
15 *the case of an individual who has amounts remaining*
16 *in an account established under section 203 as of De-*
17 *cember 28, 2003, temporary extended unemployment*
18 *compensation shall continue to be payable to such in-*
19 *dividual from such amounts for any week beginning*
20 *after such date for which the individual meets the eli-*
21 *gibility requirements of this title, including such com-*
22 *pen-sation payable by reason of amounts deposited in*
23 *such account after such date pursuant to the applica-*
24 *tion of subsection (c) of such section.*

1 “(2) *LIMITATION.*—No compensation shall be
2 payable by reason of paragraph (1) for any week be-
3 ginning after December 26, 2004.”.

4 (3) *ADDITIONAL WEEKS OF BENEFITS.*—Deem
5 section 203 of the Temporary Extended Unemploy-
6 ment Compensation Act of 2002, as amended by Pub-
7 lic Law 108–1 (117 Stat. 3), to be amended—

8 (A) in subsection (b)(1)—

9 (i) in subparagraph (A), by striking
10 “50” and inserting “150”; and

11 (ii) by striking “13” and inserting
12 “39”; and

13 (B) in subsection (c)(1), by inserting “ $\frac{1}{3}$
14 of” after “equal to”.

15 (4) *EFFECTIVE DATE OF MODIFICATIONS DE-*
16 *SCRIBED IN PARAGRAPH (3).*—

17 (A) *IN GENERAL.*—The amendments de-
18 scribed in paragraph (3)—

19 (i) shall be deemed to have taken effect
20 as if included in the enactment of the Tem-
21 porary Extended Unemployment Compensa-
22 tion Act of 2002; but

23 (ii) shall be treated as applying only
24 with respect to weeks of unemployment be-

1 *ginning on or after the date of enactment*
2 *this Act, subject to subparagraph (B).*

3 *(B) SPECIAL RULES.—In the case of an eli-*
4 *gible individual for whom a temporary extended*
5 *unemployment account was established before the*
6 *date of enactment of this Act, the Temporary Ex-*
7 *tended Unemployment Compensation Act of 2002*
8 *(as amended by this section) shall be applied*
9 *subject to the following:*

10 *(i) Any amounts deposited in the indi-*
11 *vidual’s temporary extended unemployment*
12 *compensation account by reason of section*
13 *203(c) of such Act (commonly known as*
14 *“TEUC–X amounts”) before the date of en-*
15 *actment of this Act shall be treated as*
16 *amounts deposited by reason of section*
17 *203(b) of such Act (commonly known as*
18 *“TEUC amounts”), as deemed to have been*
19 *amended by paragraph (3)(A).*

20 *(ii) For purposes of determining*
21 *whether the individual is eligible for any*
22 *TEUC–X amounts under such Act, as*
23 *deemed to be amended by this subsection—*

24 *(I) any determination made*
25 *under section 203(c) of such Act before*

1 *the application of the amendment de-*
2 *scribed in paragraph (3)(B) shall be*
3 *disregarded; and*

4 *(II) any such determination shall*
5 *instead be made by applying section*
6 *203(c) of such Act, as deemed to be*
7 *amended by paragraph (3)(B)—*

8 *(aa) as of the time that all*
9 *amounts established in such ac-*
10 *count in accordance with section*
11 *203(b) of such Act (as deemed to*
12 *be amended under this subsection,*
13 *and including any amounts de-*
14 *scribed in clause (i)) are in fact*
15 *exhausted, except that*

16 *(bb) if such individual's ac-*
17 *count was both augmented by and*
18 *exhausted of all TEUC-X*
19 *amounts before the date of enact-*
20 *ment of this Act, such determina-*
21 *tion shall be made as if exhaus-*
22 *tion (as described in section*
23 *203(c)(1) of such Act) had not oc-*
24 *curred until such date of enact-*
25 *ment.*

1 **TITLE V—PANEL TO REVIEW SEX-**
2 **UAL MISCONDUCT ALLEGA-**
3 **TIONS AT UNITED STATES AIR**
4 **FORCE ACADEMY**

5 **SEC. 501. ESTABLISHMENT OF PANEL.**

6 (a) *ESTABLISHMENT.*—*There is established a panel to*
7 *review allegations of sexual misconduct allegations at the*
8 *United States Air Force Academy.*

9 (b) *COMPOSITION.*—*The panel shall be composed of*
10 *seven members, appointed by the Secretary of Defense from*
11 *among private United States citizens who have knowledge*
12 *or expertise in matters relating to sexual assault, rape, and*
13 *the United States military academies.*

14 (c) *CHAIRMAN.*—*The Secretary of Defense shall, in*
15 *consultation with the Chairmen of the Committees on*
16 *Armed Services of the Senate and House of Representatives,*
17 *select the Chairman of the panel from among its members*
18 *under subsection (b).*

19 (d) *PERIOD OF APPOINTMENT; VACANCIES.*—*Members*
20 *shall be appointed for the life of the panel. Any vacancy*
21 *in the panel shall be filled in the same manner as the origi-*
22 *nal appointment.*

23 (e) *MEETINGS.*—*The panel shall meet at the call of the*
24 *Chairman.*

1 (f) *INITIAL ORGANIZATION REQUIREMENTS.*—(1) *All*
2 *original appointments to the panel shall be made not later*
3 *than May 1, 2003.*

4 (2) *The Chairman shall convene the first meeting of*
5 *the panel not later than May 2, 2003.*

6 **SEC. 502. DUTIES OF PANEL.**

7 (a) *IN GENERAL.*—*The panel established under section*
8 *501(a) shall carry out a study in order to determine respon-*
9 *sibility and accountability for the establishment or mainte-*
10 *nance of an atmosphere at the United States Air Force*
11 *Academy that was conducive to sexual misconduct (includ-*
12 *ing sexual assaults and rape) at the United States Air*
13 *Force Academy.*

14 (b) *REVIEW.*—*In carrying out the study required by*
15 *subsection (a), the panel shall—*

16 (1) *the actions taken by United States Air Force*
17 *academy personnel and other Department of the Air*
18 *Force officials in response to allegations of sexual as-*
19 *saults at the United States Air Force Academy;*

20 (2) *review directives issued by the United States*
21 *Air Force pertaining to sexual misconduct at the*
22 *United States Air Force Academy;*

23 (3) *review the effectiveness of the process, proce-*
24 *dures, and policies used at the United States Air*

1 *Force Academy to respond to allegations of sexual*
2 *misconduct;*

3 (4) *review the relationship between—*

4 (A) *the command climate for women at the*
5 *United States Air Force Academy, including fac-*
6 *tors that may have produced a fear of retribu-*
7 *tion for reporting sexual misconduct; and*

8 (B) *the circumstances that resulted in sex-*
9 *ual misconduct at the Academy; and*

10 (5) *review, evaluate, and assess such other mat-*
11 *ters and materials as the panel considers appropriate*
12 *for the study.*

13 (c) *REPORT.—(1) Not later than 90 days after its first*
14 *meeting under section 501(f)(2), the panel shall submit a*
15 *report on the study required by subsection (a) to the Sec-*
16 *retary of Defense and the Committees on Armed Services*
17 *of the Senate and the House of Representatives.*

18 (2) *The report shall include—*

19 (A) *the findings and conclusions of the panel as*
20 *a result of the study; and*

21 (B) *any recommendations for legislative or ad-*
22 *ministrative action that the panel considers appro-*
23 *priate in light of the study.*

1 **SEC. 503. PERSONNEL MATTERS.**

2 (a) *PAY OF MEMBERS.*—(1) *Members of the panel es-*
3 *tablished under section 501(a) shall serve without pay by*
4 *reason of their work on the panel.*

5 (2) *Section 1342 of title 31, United States Code, shall*
6 *not apply to the acceptance of services of a member of the*
7 *panel under this title.*

8 (b) *TRAVEL EXPENSES.*—*The members of the panel*
9 *shall be allowed travel expenses, including per diem in lieu*
10 *of subsistence, at rates authorized for employees of agencies*
11 *under subchapter I of chapter 57 of title 5, United States*
12 *Code, while away from their homes or regular places of*
13 *business in the performance of services for the panel.*

14 **TITLE VI—GENERAL PROVISIONS**

15 *SEC. 601. Section 624 of division B of the Consolidated*
16 *Appropriations Resolution, 2003 (Public Law 108–7), is*
17 *amended by inserting before the period at the end: “and,*
18 *effective as of October 1, 2002, by inserting ‘and subject to*
19 *the provisions of Public Law 108–8,’ after ‘until ex-*
20 *pended,’”.*

21 *SEC. 602. EXTENSION OF ENERGY SAVINGS PERFORM-*
22 *ANCE CONTRACTING AUTHORITY. Section 801(c) of the Na-*
23 *tional Energy Conservation Policy Act (42 U.S.C. 8287(c))*
24 *is amended by striking “October 1, 2003” and inserting*
25 *“December 31, 2004”.*

1 *SEC. 603. None of the funds in this Act may be obli-*
2 *gated or expended to pay for transportation described in*
3 *section 41106 of title 49, United States Code, to be per-*
4 *formed by any air carrier that is not effectively controlled*
5 *by citizens of the United States.*

6 *SEC. 604. Section 626 of title VI of division B of Pub-*
7 *lic Law 108–7 is amended by striking “previously”.*

8 *SEC. 605. Section 7304 of Public Law 107–110 is*
9 *amended by striking “such as” and inserting in lieu thereof*
10 *“operated by”.*

11 *SEC. 606. Section 1605 of title 28, United States Code,*
12 *is amended by adding at the end the following new sub-*
13 *section:*

14 *“(h) CLAIMS FOR MONEY DAMAGES FOR DEATH OR*
15 *PERSONAL INJURY.—(1) Any United States citizen who*
16 *dies or suffers injury caused by a foreign state’s act of tor-*
17 *ture, extrajudicial killing, aircraft sabotage, or hostage tak-*
18 *ing committed on or after November 1, 1979, and any mem-*
19 *ber of the immediate family of such citizen, shall have a*
20 *claim for money damages against such foreign state, as au-*
21 *thorized by subsection (a)(7), for death or personal injury*
22 *(including economic damages, solatium, pain and suf-*
23 *fering).*

24 *“(2) A claim under paragraph (1) shall not be barred*
25 *or precluded by the Algiers Accords.”.*

1 *SEC. 607. Section 127b(b) of title 10, United States*
2 *Code, is amended by striking “\$200,000” and inserting*
3 *“\$5,000,000”.*

4 *This Act may be cited as the “Supplemental Appro-*
5 *priations Act to Support Department of Defense Operations*
6 *in Iraq for Fiscal Year 2003”.*

Attest:

Secretary.

108TH CONGRESS
1ST SESSION

H. R. 1559

AMENDMENT